Ontario

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

Report of the Hearing Officers

A.L. McCrae, Chief Hearing Officer
W.T. Shrives, Hearing Officer
M.D. Henderson, Hearing Officer

Volume One

January 1983

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

A. L. MCCRAE, Chief Hearing Officer
W. T. SHRIVES, Hearing Officer
M. D. HENDERSON, Hearing Officer

Tobermory
Toronto
Queenston
Windsor

WALTER W. GOWING, Chief Administrator
CAROL A. BEVERIDGE, Hearing Secretary

VOLUME ONE
JANUARY 1983

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

The Niagara Escarpment Commission,
232 Guelph Street,
Georgetown, Ontario

Ivor McMullin
Chairman

Sir:

On the 17th day of January, 1980, pursuant to Section 10 of the Niagara Escarpment Planning and Development Act, we the undersigned, were appointed Chief Hearing Officer and Hearing Officers for the purpose of conducting one or more hearings respecting the contents of the Proposed Plan for the Niagara Escarpment. Having complied with the requirements of the Act, we herewith submit our reports and recommendations.

Respectfully submitted,

A L McCrae

A. L. McCrae

W. T. Shrives

W. T. Shrives

MD Henderson

M. D. Henderson

January 1983

PREFACE

Under the direction of the *Niagara Escarpment Planning and Development Act*, 1973, Section 10 (2) the Niagara Escarpment Commission on January 17, 1980 formally appointed three hearing officers seconded from the Ontario Municipal Board for the purpose of conducting one or more hearings within the Niagara Escarpment Planning Area or in the general proximity thereof for the purpose of receiving representations respecting contents of the Proposed Plan for the Niagara Escarpment. At the conclusion of the hearings, the hearing officers are to report to the Commission with a copy to the Minister in accordance with the Act.

As stated in Section 10 (6) of the *Niagara Escarpment Planning and Development Act*:

> "Not more than three months after the conclusion of the hearing or of the last hearing if more hearings than one are held or within such extended time as the Commission prescribes, the hearing officer conducting the hearing or hearings shall report to the Commission a summary of the representations made together with a report stating whether the Plan should be accepted, rejected or

> modified, giving his reasons therefor, and shall at the same time furnish the Minister with a copy of the report and separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held."

A comprehensive program was adopted to make known that a public hearing on the Proposed Plan for the Niagara Escarpment would be held. Not only did we comply with the minimum requirements of the *Niagara Escarpment Planning and Development Act* in publishing advertisements in newspapers, we printed and distributed 5,000 "Notice of Hearing" information forms. These notices were distributed by hand to 238 locations in or near the area of the Proposed Plan. They were placed in general stores, service stations, post offices, restaurants, meeting halls, barber shops and other convenient locations. In numerous locations a copy of the Proposed Plan map for the area accompanied by the land use policies were posted.

In addition, a supply of "Notice of Hearing" forms were sent to the 55 municipal offices of the Niagara Escarpment Planning Area. Other organizations notified of the hearing process included:

7 conservation authorities
77 universities and community colleges
49 public libraries
21 government ministries and agencies
56 industry, business and private organizations

The notification process was initiated on February 7, 1980, some 67 days prior to the opening of the hearings in Ancaster on April 14, 1980.

A total of 120 advertisements were placed in newspapers providing information necessary to inform the public of the hearings.

A total of 1,041 applications were processed. During the course of the hearings 71% of these applications, numbering 743, were actually heard as submissions. There were 233 cancellations and 65 applicants who failed to appear for their scheduled appointments at the hearings.

The hearings generated an immense public interest that was sustained throughout the 26 months of sittings. During the overall hearing, over 9,300 people were in attendance.

In making the selection of hearing locations, we were somewhat limited by the availability of suitable accommodation. We did, however, conduct hearings in the following centres: Ancaster, Owen Sound, Burlington, Caledon, Orangeville, Wiarton, Collingwood and St. Catharines.

In the preparation of this report, full and complete consideration of all the evidence adduced before us has been taken into account in arriving at the recommendations contained herein. This not only involves hundreds of submissions but also evidence emerging through cross-examination or by queries made by interested parties in passing. Naturally it would be impossible in a hearing of this magnitude to enumerate and comment upon each and every point raised. Wherever probative each and every bit of evidence was assessed carefully by the panel and forms an important part of the final recommendations and conclusions we have reached in our report.

ACKNOWLEDGEMENTS

The task of conducting public hearings in a fair and impartial manner always places a strenuous burden upon those responsible for the conduct of the proceedings. As we carried out this task we appreciated the help and co-operation received from many people.

We especially note, and thank, the many members of the public who appeared before us and made their submissions in a sincere and frank manner.

In acknowledging the role of the Niagara Escarpment Commission in the proceedings, we recognize the laborious effort made by its planning staff in preparing and presenting evidence at the hearing. It is not possible to mention every staff member who contributed effectively to the hearings, so we sincerely thank them collectively.

At times it appeared difficult to retain the continuity of proceedings while we faced numerous changes in the personnel of the Commission's legal counsel. However, we are indebted to Stephen Stepinac, the Commission's senior counsel, for his courteous tone and knowledgeable contribution when appearing before us. We also appreciated the efforts of counsel David Hunter and Maureen Simpson.

There is one note of sadness to be expressed in recalling the

untimely death of the Commission's former Executive Director, Gerald R.A. Coffin, on January 9, 1981, the last day of the Phase I hearing in Owen Sound.

We wish to thank our personal staff for the pleasant and efficient way in which they managed the duties of the hearing office. Walter W. Gowing, our Chief Administrator and Executive Officer, acted on our behalf in dealing directly with the public, their agents and legal counsel apart from the formal hearing sessions. We appreciate Mr. Gowing's efforts in arranging for facilities and hearing schedules. We also acknowledge the fine work of Carol A. Beveridge, our Hearing Secretary and Assistant to the Administrator in carrying out the functions of the hearing office.

TABLE OF CONTENTS

VOLUME 1 - GENERAL SECTION

Letter of Transmittal v

Preface vii

Acknowledgements xi

Chapter 1: THE HEARING PROCESS 3

Chapter 2: THE PLAN 11

Chapter 3: WHAT IS THE ESCARPMENT? 19

Chapter 4: LAND IN ITS VICINITY 25

Chapter 5: NATURAL ENVIRONMENT 29

Chapter 6: THE BRUCE TRAIL 31

Chapter 7: AGRICULTURE 35

Chapter 8: MINERAL RESOURCE AREAS 39

Chapter 9: SOCIO-ECONOMIC CONDITIONS 45

Chapter 10: DEVELOPMENT CONTROL 47

Chapter 11: RECREATION 53

Chapter 12: PART 2 OF THE PROPOSED PLAN: LAND USE POLICIES 55

Chapter 13: PART 3 OF THE PROPOSED PLAN: ESCARPMENT PARKS AND ACQUISITION POLICIES 77

Chapter 14: PART 4 OF THE PROPOSED PLAN: GENERAL RECOMMENDATIONS 83

Chapter 15: PART 5 OF THE PROPOSED PLAN: APPENDIX 85

Chapter 16: PART 6 OF THE PROPOSED PLAN: DEFINITIONS 87

Chapter 17: SUMMARY OF HEARING OFFICERS GENERAL RECOMMENDATIONS 89

Appendices:

(A) Copy of Appointment 113

(B) Certification of Appointment Resolution .. 115

(C) Copy of Hearing Notice 117

(D) Copy of Newspaper Advertising and List of Publications 119

(E) Rules of Procedure 125

(F) Niagara Escarpment Commission Presenting Panel 127

(G) List of Hearing Locations 129

(H) List of Exhibits 133

(I) Index: List of Submissions 213

VOLUME 2 - PHASE I HEARING

In Phase I, only presentations on general issues concerning the Proposed Plan as a whole were heard by the Hearing Officers

General Statement by Hearing Officers 267

Summary of Submissions, Recommendations and Reasons 269

VOLUME 3 - PHASE II HEARINGS

In Phase II, only presentations dealing with issues in specific sectors (individual counties and regions) of the area covered by the Proposed Plan were heard by the Hearing Officers

Section 100: REGIONAL MUNICIPALITY OF NIAGARA

- General Statement by Hearing Officers 577
- Summary of Submissions, Recommendations and Reasons 579

Section 200: REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

- General Statement by Hearing Officers 747
- Summary of Submissions, Recommendations and Reasons 749

Section 300: REGIONAL MUNICIPALITY OF HALTON

- General Statement by Hearing Officers 839
- Summary of Submissions, Recommendations and Reasons 841

Section 400: REGIONAL MUNICIPALITY OF PEEL

- General Statement by Hearing Officers 985
- Summary of Submissions, Recommendations and Reasons 987

VOLUME 4 - PHASE II HEARINGS

In Phase II, only presentations dealing with issues in specific sectors (individual counties and regions) of the area covered by the Proposed Plan were heard by the Hearing Officers

Section 500:

COUNTY OF DUFFERIN

- General Statement by Hearing Officers 1041
- Summary of Submissions, Recommendations and Reasons 1043

Section 600:

COUNTY OF SIMCOE

- General Statement by Hearing Officers 1175
- Summary of Submissions, Recommendations and Reasons 1177

Section 700:

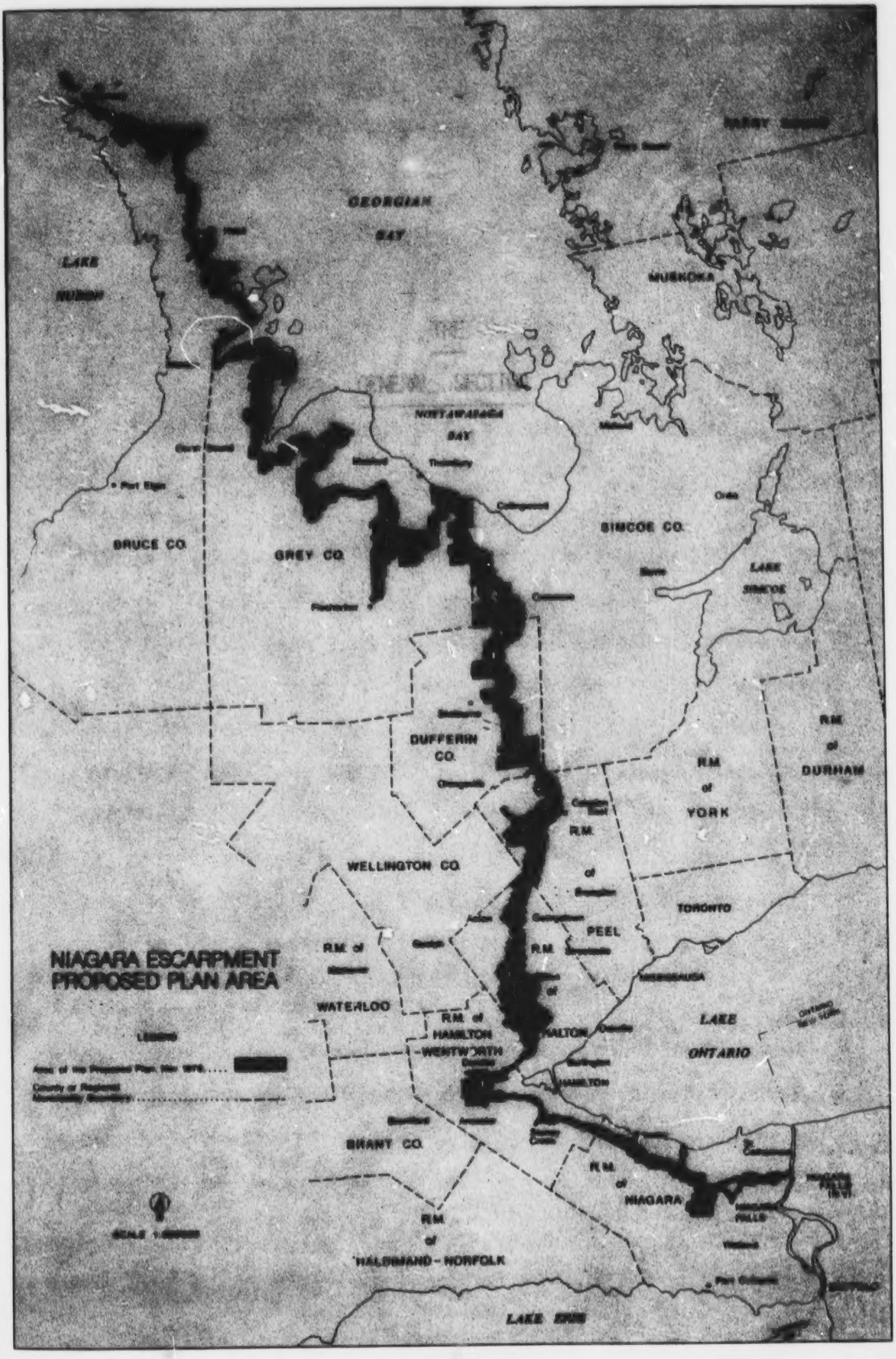
COUNTY OF GREY

- General Statement by Hearing Officers 1233
- Summary of Submissions, Recommendations and Reasons 1235

Section 800:

COUNTY OF BRUCE

- General Statement by Hearing Officers 1353
- Summary of Submissions, Recommendations and Reasons 1355



NIAGARA ESCARPMENT PROPOSED PLAN AREA

GEORGIAN BAY
LAKE HURON
PARRY SOUND
MUSKOKA
NOTTAWASAGA BAY
BRUCE CO.
GREY CO.
SIMCOE CO.
LAKE SIMCOE
DUFFERIN CO.
R.M. of DURHAM
R.M. of YORK
WELLINGTON CO.
R.M. of PEEL
TORONTO
R.M. of WATERLOO
R.M. of HAMILTON-WENTWORTH
R.M. of HALTON
HAMILTON
LAKE ONTARIO
BRANT CO.
R.M. of NIAGARA
NIAGARA FALLS
R.M. of HALDIMAND-NORFOLK
LAKE ERIE
LEGEND
SCALE

THE

GENERAL SECTION

CHAPTER 1

THE HEARING PROCESS

The hearing process was a lengthy and arduous task which confronted the hearing panel from day one. On the very first day of the hearing at Ancaster, organized groups appeared in an effort to disrupt the proceedings to protest not only the Proposed Plan but the very *Niagara Escarpment Planning and Development Act* which created the Niagara Escarpment Commission who in turn developed the Proposed Plan. This same action was repeated on the opening day of the hearings which were held in Owen Sound. Restrained opposition was taken by certain municipalities who felt that the Proposed Plan infringed on their local jurisdiction. The hearing process, at the very beginning, was greeted with an air of hostility. This hostility lessened as the hearings progressed when participants realized that their contributions were being given careful consideration and attention by the hearing officers.

The hearing officers decided to divide the hearings into two separate categories and these were referred to as Phase I and Phase II. The Phase I section of the hearing dealt with the whole Plan, generally, whereas the Phase II sections dealt with individual submissions from landowners and interested parties.

Phase II was intended to deal with specific parcels of land and the effect of the Plan generally on all the lands in each Region or County. In some cases overlapping of Phase I matters with those of Phase II became unavoidable but this was not discouraged in any way so that a full and proper input by the public could be had.

Phase I was divided into a hearing at Ancaster, Ontario, to accommodate those in the southern section of the Plan and the remainder of Phase I was conducted in Owen Sound to facilitate those in the northern area.

Although this splitting of the Phase I hearing was objected to at the opening of the Ancaster Phase I by several participants the hearing officers were convinced that this was the only logical way to ensure full participation by the public over the 450 mile length of the Planning Area.

In both parts of Phase I the staff of the Niagara Escarpment Commission together with other selected witnesses presented the hearing panel with the same documentation and evidence.

The hearing officers were also convinced that holding the Phase I hearing in two parts created no unfairness to any party since access to such documentation and evidence was readily available to all interested parties. It was therefore clear that there was no difference in the evidence presented by the Niagara Escarpment Commission at Ancaster or Owen Sound.

Each hearing started with the Niagara Escarpment Commission making a presentation and on the completion of this, any person present whether legal counsel or not was given an opportunity to cross-examine the Niagara Escarpment Commission witnesses. This resulted in many pertinent points being raised which helped this panel assess the Proposed Plan and assisted in formulating this report.

The Phase II section of the hearings were divided into eight separate hearings each being held in a location within the County or Region which the Plan covers. At these Phase II hearings the individual or other parties making their presentations were given full opportunity to support or oppose the Plan even to the extent of calling further witnesses. In each and every case the Niagara Escarpment Commission was provided the opportunity to adduce such evidence as it determined necessary in support of the Plan. In cases where the submission was in favour of the Plan, the Niagara Escarpment Commission only in isolated cases presented evidence.

In addition to the hearings which have been mentioned above three supplemental hearings were held at Burlington, Orangeville and Wiarton in order to permit submissions by certain legal counsel, property owners and other interested parties who, for one reason or another were not able either - (a) to keep appointments made earlier, or (b) had made their requests for a hearing at too late a date to be included in the hearing of the section wherein their property or interests were located.

During the course of these hearings it appeared to the hearing officers that the general public felt there had not been sufficient provision made during the preparation of the Plan by the Niagara Escarpment Commission for public participation. In this regard it was also pointed out to the hearing officers that in the conduct of the interim development control process by the Niagara Escarpment Commission that applicants were not allowed to speak at the Niagara Escarpment Commission meetings when their applications were being dealt with and in fact were not even allowed to be present. These two facts in the opinion of the hearing officers created the stage for the sometimes violent objections to the Niagara Escarpment Commission, the *Niagara Escarpment Planning and Development Act* and as a result the Proposed Plan, and in the initial part of these hearings at least, an antagonistic approach by some owners to the hearings. This problem was overcome as the hearings progressed when the public saw the manner in which the hearings were being conducted.

The hearing officers at all times were interested in procuring the best evidence concerning the Plan. It was quite apparent, however, that in the minds of many of those appearing before us that undue emphasis was placed on the number of people who were in support of the Plan. This was made obvious by many submissions that placed reliance on numbers in support of the Plan rather than cogent evidence.

The hearing officers advised the hearings several times that any recommendations would not be based on "numbers" but by the evidence adduced whether by one person, group or association.

From an analysis of ownership it was determined that most of those in support in this manner were not concerned landowners. If the decision were to be based solely on the numbers for and against rather than sound evidence adduced it would have been a simple matter to decide the issue by a referendum rather than the lengthy and proper hearing process. This hearing process was envisaged by the legislation as set out in the *Niagara Escarpment Planning and Development Act* and is certainly the only process capable of safeguarding the rights of individuals.

During the hearing in Ancaster affecting the Hamilton-Wentworth Region certain errors which were made during the preparation of the Plan were brought to the panel's attention. The hearing officers directed that those affected be given notice of suggested changes with an opportunity to appear at the hearing to voice their opinions.

The Niagara Escarpment Commission complied with this not only in Ancaster but wherever else it occurred. Some owners affected in this manner did appear and are dealt with in the individual submissions. Where the owners notified did not appear we accept the changes proposed by the Niagara Escarpment Commission and the Plan should be modified accordingly.

We believe that if errors which were unreported to us later emerge they should certainly not be dealt with unless proper notice is given to those affected.

Another problem faced by the hearing officers was the fact that the Niagara Escarpment Commission witnesses in very few cases appeared to recognize that there could be other points of view as far as the Plan is concerned. It is inconceivable that a Plan which covers such a large expanse of territory was letter perfect. In this regard the planning witnesses of the Niagara Escarpment Commission in many instances gave evidence not as planners but as advocates of the Niagara Escarpment Commission even though such witnesses were cautioned on several occasions by the hearing officers that the panel was interested in their evidence as professional planners as well.

In many instances we were therefore left without any proper planning evidence but only with the opinion of the Niagara Escarpment Commission. While recognizing the responsibility of the Niagara Escarpment Commission in the preparation of the Plan it goes without saying that the panel was entitled to the best evidence available and this should have been adduced in all cases by way of opinion of those professional witnesses who advised the Niagara Escarpment Commission.

On numerous occasions in response to questions put not only by way of cross-examination but by the panel, Niagara Escarpment Commission witnesses would respond by giving the Commission's viewpoint or stating that the Niagara Escarpment Commission has a "mandate" to do this or that, rather than give the panel the benefit of a professional opinion. This type of evidence would not be tolerated during the course of a hearing held under the auspices of the Ontario Municipal Board.

In view of the attitude of the Niagara Escarpment Commission witnesses as expressed above it therefore was incumbent upon the panel to ensure that the evidence given by those having an interest, financial or otherwise, in the proceedings was carefully considered to ensure that justice was done in the disposition of their submissions.

A thread which ran through the complete course of the hearings was the concern expressed by many individuals as to the severe limitations placed on their properties by their inclusion in the Escarpment Natural designation. While this was also true to a somewhat lesser extent in other designations as well, these did not approach the severity of the restrictions in the Escarpment Natural designation. Indeed some of the uses in the Escarpment Natural Areas were likened by some lawyers and laymen alike to non-uses.

We feel it incumbent upon us to comment on at least one negative aspect of the hearing process that we had to live with due to the requirements of the *Niagara Escarpment Planning and Development Act*. On an almost daily basis at the hearings the panel had to advise submitters and others that the hearing officers, while appointed by the Niagara Escarpment Commission, were not part of it. This had to be done to assure our independence which we felt was necessary in order to convey the fact that this report is unbiased in any way. In this regard we would like to bring to the attention of those concerned that in any future hearings of this kind appointments of hearing officers should not be made by the body responsible for creating the subject of the hearing in order that all doubt be removed from the minds of those concerned as to the impartiality of the hearings.

CHAPTER 2

THE PLAN

THE PROPOSED PLAN FOR THE NIAGARA ESCARPMENT

The Proposed Plan has been compared by many to a large and extensive official plan. While this may be true it differs to this extent in that, in normal official plan hearings property owners and owners in the immediate vicinity have the right to appear in support of or object to such an official plan, whereas, in this case a great deal of support for the Plan came from individuals, groups, associations, etc., that had no financial interest in the privately owned lands which are the majority of lands in the area covered by the Proposed Plan. This stirred up a lot of antagonism by residents in the area in that concern was registered that people from hundreds of miles away had the right to even suggest what should or should not be done in the area of the Proposed Plan. This left the hearing officers with difficult decisions at times as to the weight to be given to certain evidence presented at the hearing.

In dealing with a matter of this kind where a Government Plan is proposed and which depends largely on lands in private ownership for implementation then it becomes absolutely imperative that the tribunal go to great lengths to ensure that restrictions sought to be imposed on private lands for the public good be no more stringent or onerous than necessity demands.

To strike a balance which is equitable to both the private and the public sector is the objective that must be achieved. We have followed this concept throughout this report in dealing with this age-old dilemma in a democratic society.

The Proposed Plan as presented to the hearing officers contained the following:

Part 1 - Introduction to the Proposed Plan
Part 2 - Land Use Policies
Part 3 - Escarpment Parks and Acquisition Policies
Part 4 - General Recommendations
Part 5 - Appendix
Part 6 - Definitions
Part 7 - Bibliography
Maps - 1 to 9

Part 1, Introduction to the Proposed Plan, outlines the history and development of the Proposed Plan and does not constitute part of it and as such the hearing officers *RECOMMEND THAT PART 1 BECOME AN APPENDIX AND NOT FORM PART OF THE PROPOSED PLAN.*

Part 2, Land Use Policies, is the effective operating section of the Plan and is dealt with fully later in this report.

Part 3, Escarpment Parks and Acquisition Policies, is also dealt with fully later in this report.

Part 4, General Recommendations, as presented to the hearing officers is to form part of the Plan and is also dealt with fully later in this report.

Part 5, the Appendix. There will be no comments on this part since it does not form part of the Proposed Plan.

Part 6, Definitions. It is *RECOMMENDED THAT THIS PART BECOME PART 1 AND BE MADE PART OF THE PROPOSED PLAN.* This will be the subject of further recommendations in this report.

Part 7, Bibliography. There will be no comments on this part since it does not form part of the Proposed Plan.

Maps 1 to 9. Certain recommendations contained in this report will require map changes.

In its preparation of the Plan the Niagara Escarpment Commission had as its mandate Section 2 of the *Niagara Escarpment Planning and Development Act*. Section 2 reads as follows:

> "The purpose of this Act is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only such development occurs as is compatible with that natural environment."

It is interesting to note that the goal contained in the

Policy Statement of the Government (May, 1973) reads as follows:

> "To maintain the Niagara Escarpment
> as a continuous natural environment
> while seeking to accommodate demands
> compatible with that environment."

This certainly raises a very moot point since the word "substantially" was introduced in the legislation and of course the legislation takes precedence over the Policy Statement. This results in the immediate question as to whether the Proposed Plan has to be actually continuous or could there be interruptions (lack of continuity) in the Plan. In this regard the Niagara Escarpment Commission witnesses were unyielding and insisted that the Plan must be continuous with no interruptions.

In 1967 the Government of Ontario commissioned a study into the Niagara Escarpment. This study was directed by Professor Leonard A. Gertler of the University of Waterloo and resulted in June of 1968 in a report commonly known as the Gertler Report. As a result of the Gertler Report certain actions were taken by the Province to implement it but there being many unresolved issues an Inter-Ministerial Task Force was formed in 1972. After several public meetings this Task Force made recommendations which the Government used to prepare its Policy Statement of June 1973 which was entitled "Regional Planning in Ontario - The Niagara Escarpment". The next step in the process was the passing in 1973 of the *Niagara Escarpment Planning* *and Development Act* which provided for, among other things, the establishment of the Niagara Escarpment Commission which held its first meeing on November 6, 1973. In February 1978 the Commission released what it called its Preliminary Proposals. As a result of these Preliminary Proposals objections were received from many sources with perhaps the main objections being that the Preliminary Proposals covered too large an area and that the proposals contained therein were too complex. As a result of this and other comments received, the Niagara Escarpment Commission reduced the area covered by the Plan and also revised the policies of the Plan. This culminated in November 1979 with finalization of the Proposed Plan that was dealt with in these hearings.

The Niagara Escarpment presents a very unique problem to any land use planner not only because of its character but by its vast length. It encompasses some 55 municipalities and also touches the lives of hundreds of people whose lands are included in the Plan.

Naturally, to regulate such a vast area is going to present problems of great magnitude and this accounted for the strong reactions of the public which became apparent after the release of the Preliminary Proposals. It will be no mean task to provide a plan no matter what its final form may take to satisfy those who are either opposed to the introduction of the Plan or those who are in favour of it. This latter group even go so far as to say that the Plan does not go far enough and would have liked the Planning Area greatly expanded. The panel, however, throughout the course of the hearing took the position that it could not entertain the enlargement of the planning boundaries and relied on the Chadwill Coal Company Limited case to justify this position.

After the Preliminary Proposals were rejected the reduction of the area caused many problems in redrawing the boundaries not only of the Plan itself but of the various designations within the Plan. We were told several times during the hearings that lot lines, half lot lines and roads were generally used to establish boundary lines and most important, that the "lines had to be drawn somewhere". This difficulty coupled with the scale of the maps used in the Plan made it difficult in many cases for owners to determine what designation or designations applied to their lands.

We were advised by the Niagara Escarpment Commission that an environmental approach was used in the preparation of the Proposed Plan and that the designations and policies were derived primarily from the analysis of the physical, ecological and aesthetic components of the environment. In order to reflect the degree that the Escarpment environment has been or may be modified by man the Niagara Escarpment Commission developed designations and policies and the Proposed Plan contains the following designations which the Niagara Escarpment Commission staff advised the hearing officers expressed their intent:

Escarpment Natural Areas
Escarpment Protection Areas
Escarpment Rural Areas
Minor Urban Centres

Escarpment Recreation Areas

Mineral Resource Areas

Each of these designations is dealt with more fully elsewhere in this report.

CHAPTER 3

WHAT IS THE ESCARPMENT?

The Proposed Plan contains no definition of the word "Escarpment". The staff of the Niagara Escarpment Commission at all times during the course of their presentations to the hearings depended entirely on the work of D.F. Hewitt, an eminent geologist, to support the location of the Niagara Escarpment.

Dr. Hewitt in his report made it quite clear that the Escarpment is not always a visible feature to the eye of the beholder and indeed disappears completely in some areas. In this regard the following is a quotation from the Hewitt report:

> "although as a geological feature the Niagara Escarpment is continuous from Queenston to Tobermory, it is not always present as a prominent topographic feature due to its mantling or burial by later deposits of glacial drift. The scarp is buried for considerable stretches in portions of Caledon, Albion, Mono and Mulmur Townships."

In drafting the maps of the location of the Escarpment, therefore, the staff of the Niagara Escarpment Commission were placed in the position of estimating where the location of the Escarpment may actually be. This action was confirmed in the maps prepared by the staff which in several locations indicate the location of the Escarpment by the use of question marks.

This then becomes a crucial matter to be considered in dealing with the contents of the Proposed Plan because this forms the basis of the Plan. In other words, is the Niagara Escarpment visualized by the general public of the Province of Ontario as a rock face of some prominence or rolling countryside under which rock may be buried at a depth of several hundred feet in some places.

Dr. Hewitt in his report cited two definitions of an Escarpment, one by Fairbridge and one from the Dictionary of Mining, Mineral and Related Terms. The first states that "an escarpment or scarp is defined as a cliff or steep rock face of great length" whereas the second and third sources give three definitions of an escarpment: (a) "a cliff or relatively steep slope separating level or gently sloping tracts"; (b) "in gently inclined strata, the abruptly truncated and clifflike outcrops of the resistant beds are called escarpment"; and (c) "the steep face presented by the abrupt termination of strata". The two latter definitions are from the American Geological Institute's Glossary of Geology and Related Sciences, 1960.

Dr. Hewitt in his report then concluded that "an escarpment is a steep rock face of relatively great length formed by the abrupt termination of strata". The report also points out that the popular conception of an escarpment is one which presents a prominent topographic feature. He then goes on to deal with other types of scarp formations which may be encountered along the length of the Niagara Escarpment such as mantled scarp, buried scarp, terraced scarp, multiple scarp, incised scarp, outliers and stripped scarp.

It can be generally concluded however, that Dr. Hewitt's conception of the Escarpment is a continuous feature from one end to the other although of varying types of rock formations and indeed in some areas difficult to locate. It is this latter conclusion which gives this panel the most difficulty.

Dr. M.J. Risk, an Associate Professor of Geology at McMaster University and Brock University as well, stated that in his opinion the definition of the escarpment is restricted to the rock face itself. That this conception is the one accepted in the minds of many is acknowledged by Dr. Hewitt when the Niagara Escarpment Commission relied upon his report (Exhibit 127). Therefore there is no doubt in Dr. Risk's mind that from Niagara to Tobermory the scarp is not continuous but is intermittent.

Indeed Professor Risk is emphatic in stating that in research reports from 1848 till the present all earth scientists say that where it is below ground the scarp does not exist as such.

The Niagara Escarpment Study Conservation and Recreational Report better known as the Gertler Report, published in June of 1968 was the forerunner of the Proposed Plan for the Niagara Escarpment with which we are now dealing. The report recommended Escarpment land preservation through a combination of Government initiatives including land use regulations, land acquisition, and the means of funding the latter under Provincial-Municipal sponsorship.

Although the Niagara Escarpment as an entity was the main or central core of the whole exercise its location was not at the Gertler stage specifically delineated, nor was it in the Commission's presentation to the hearing officers. This is not intended as a criticism of the Gertler findings since it does not appear that such was requested of the study group.

It became abundantly clear during the lengthy course of the hearings that not only were there many differing opinions as to the location or existence of the scarp among lay people but the same ambiguity was demonstrated in the statements of many professional people. Many of the property owners reacted in disbelief when told that their farms were sitting on the Escarpment albeit it was not known how deep the rock formation lay in the ground or even if such were the case.

Perhaps the most cogent evidence regarding the above state of affairs was demonstrated in the submission made by the Reeve of Mono Township by a slide presentation showing some of the rock outcroppings of which there were very few in his Township. As he pointed out there is very little of the visible scarp in the Township of Mono.

The location of the Escarpment was not shown on any of the maps accompanying the Proposed Plan. In many instances this created great difficulties for the general public particularly in areas where there is no visible scarp. It was not until January 7, 1981 after nine months of these hearings had taken place that four maps entered as Exhibits 142 (a), 142 (b), 142 (c) and 142 (d) were presented to the hearings. These maps show the location of the Escarpment as interpreted by the Niagara Escarpment Commission based on Dr. Hewitt's definition. Since Hewitt's definition of the Escarpment envisages the Escarpment as a continuous feature there are several areas where it is buried and therefore its exact location cannot be accurately determined.

The four exhibits referred to above were entered by Dr. P.G. Telford, a Geologist with the Ministry of Natural Resources, who told the hearing that this was the first time that the Ministry of Natural Resources had been requested by the Niagara Escarpment Commission to show the location of the scarp. Dr. Telford further stated that geologists are likely to have a difference of opinion as to the exact location of the scarp where it is buried. As a result of this there are locations on these four maps together with the maps for the other areas where there are question marks shown since the exact location of the buried scarp is not known. In addition to this problem there are areas where the scarp is a visible feature but not included in the Proposed Plan. Of course as pointed out we, the hearing officers, have no jurisdiction to enlarge the area covered by the Proposed Plan.

Even though we have no jurisdiction to enlarge the area covered by the Proposed Plan the very fact that portions of the visible scarp are not included makes it even more difficult to include the buried portions in the Plan when visible portions have been left out. As a matter of fact what better protection can be afforded to the scarp than by 300 feet of soil on top of it.

Having considered the evidence at these hearings this panel, as were the majority of those who appeared before us, is in agreement that the visible scarp should be protected.

It does appear, however, that there are really two escarpments, visible and buried, and as such they should be treated differently as will be reflected in certain recommendations in this report. This conception recognizes both the definition of the expert, Dr. D.F. Hewitt, that the Niagara Escarpment Commission relied on and the generally accepted definition.

While it would be most desirable to have a definition of the word "escarpment" in the Proposed Plan we have come to the conclusion that except for that portion of the scarp that is visible there is no consensus even among the experts as to what the definition should be.

CHAPTER 4

LAND IN ITS VICINITY

The Niagara Escarpment Commission did not feel it necessary to define where the Escarpment stops and where the vicinity begins and therefore relied on lands in the vicinity being determined by value judgements. The hearing officers, based on the evidence heard at these hearings, do not accept this approach since we can find no support for it in the *Niagara Escarpment Planning and Development Act*. We are of the opinion that if the Legislature had intended that "land in its vicinity" were to be determined arbitrarily then the legislation would have said so.

The Niagara Escarpment Commission paper entitled "Preparation of the Proposed Plan" and read at these hearings, attempts to put into perspective its views regarding what constitutes "land in its vicinity" (its relationship to the Niagara Escarpment).

It is the position of the Niagara Escarpment Commission that the Niagara Escarpment and land in its vicinity is one land unit.

The following is a quote from the above referred to paper:

> " 'Land in its vicinity' includes lands generally extending on either side of the escarpment as defined above. The geographic extent of this vicinity area has been determined by the characteristics of the land and its relationship to the escarpment. The Commission has included those lands which, in its opinion, have some identifiable connection with the escarpment area and the purpose and objectives of the Act."

Having cited the Commission's reasons justifying inclusion of "lands in its vicinity" the extent of such lands to be included were ultimately decided subjectively by value judgements. Both Cecil Louis and Lee Gosselin, Niagara Escarpment Commission staff, quite frankly stated this during the course of these hearings.

We find from the testimony adduced at the hearings that the visible Niagara Escarpment is definable and it follows from this that lands in the vicinity of the Escarpment based on the objectives sought (as set out in the *Niagara Escarpment Planning and Development Act*) are also capable of definition though this could be a costly and lengthy exercise.

It may be that "land in its vicinity" as finally arrived at by the Niagara Escarpment Commission was dictated by the size of the reduced area for which the Plan was proposed. This reduced area approximates the development control area established in 1975 by the Government. This area, from the evidence, was considered by the

Niagara Escarpment Commission to be all lands in the vicinity (as set out in Section 2 of the *Niagara Escarpment Planning and Development Act*) in addition to the Escarpment itself.

In the proceedings at Owen Sound this was confirmed under cross-examination of Mr. Louis by James McCallum when Mr. Louis, in dealing with the Mad River Area, agreed that certain lands included in the Proposed Plan were not lands in its vicinity but he felt that because they were in the Planning Area the Niagara Escarpment Commission could deal with them although they were not lands in its vicinity.

It should be pointed out that Section 2 which sets out the purpose of the *Niagara Escarpment Planning and Development Act* makes it clear that the said purpose is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and this is as far as its mandate goes despite any justification offered by the staff for the inclusion of lands other than those mentioned in Section 2 of the *Niagara Escarpment Planning and Development Act*.

On more than one occasion when questioned about the inclusion of certain lands the Niagara Escarpment Commission's witnesses referred to Section 8 of the *Niagara Escarpment Planning and Development Act* for their authority for such inclusion. In our opinion the requirements of Section 2 still prevail and Section 8 is merely the objectives that must be applied to the lands set out in Section 2.

In any event, we the hearing officers, are not satisfied that all the lands included in the Proposed Plan are necessary in order to achieve the purpose of the *Niagara Escarpment Planning and Development Act* as set out in Section 2.

Our concern in this regard arises because the majority of these lands being dealt with do not lie in the public domain nor is it intended that they should, but rest in the hands of the private sector. It is for this reason that broad definitions of land in its vicinity are not acceptable to us where private rights are involved.

This problem concerning lands in its vicinity, in the Proposed Plan is the subject of several individual recommendations in this report.

CHAPTER 5

NATURAL ENVIRONMENT

Section 2 of the *Niagara Escarpment Planning and Development Act* sets out the purpose which is "to provide for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment". It is interesting to note that the three keys to the exercise are not defined in the *Niagara Escarpment Planning and Development Act.* They are as follows:

1. the Niagara Escarpment
2. land in its vicinity
3. natural environment

This left the Niagara Escarpment Commission with the perhaps difficult and unenviable task of defining each of these keys. We have already dealt with the first two and this section will deal with the third, the "natural environment".

Therefore, throughout all the Niagara Escarpment Commission's input to the Plan the environmental approach is emphasized as can be noted when examining the criteria for the various uses.

The Niagara Escarpment Commission's view of what constitutes the "natural environment" was not always in agreement with either those who supported the Plan or those who were in opposition. This serves to give support to what we have said was the problem that the Niagara Escarpment Commission was compelled to deal with.

As was pointed out by several, a strict definition of the word "natural" could be taken to apply only to lands undisturbed by man. This, of course, is not practical therefore the Niagara Escarpment Commission was obliged to deal with this problem by determining degrees of disturbance.

The Commission defined "natural environment" in its paper entitled "Preparation of the Proposed Plan" to "include the visible, physical Escarpment, and associated ground and surface water systems, trees, wildlife, vegetation and climate which are inter-related in natural systems through the natural process such as photosynthesis and water cycle; as well as the agricultural, rural landscape which man has superimposed on this area. The natural environment, therefore, has been interpreted as containing visible and invisible components, both of which the Commission considers to be interdependent and equally important".

Even here, in the application of this approach, we are once again faced with its subjective nature and recommendations in this report are made in several individual submissions keeping in mind this facet.

CHAPTER 6

THE BRUCE TRAIL

It is the intention of the Proposed Plan that the existing Bruce Trail is an integral part of the proposed Niagara Escarpment Parks System. The intention was that this would provide continuity to the Parks System from one end of the Escarpment to the other, linking the elements of the system and providing access.

This is not a new proposal and was raised in the Gertler Report. The Inter-Ministerial Task Force in dealing with this matter was concerned about the frequent re-routing of the Bruce Trail and concluded that there was a need to secure a permanent route and so made the following recommendations:

1. The Province should determine the best route for the Bruce Trail and then secure it by means of easements and outright purchases.
2. The Province shall allocate special funds as required to secure the best route for the Bruce Trail.

These recommendations were subsequently concurred with by the Government of Ontario, and as a result the Niagara Escarpment

Commission was directed to reflect this decision in its planning proposals.

It became an arduous challenge for the Niagara Escarpment Commission as to how to secure the best or as it came to be known, the optimum route for the Bruce Trail. No difficulty was experienced after consultation with the Bruce Trail Association and the Ministry of Natural Resources in arriving at the most desirable location for the Trail but quite another problem emerged when showing a route acceptable to the individual landowners and the various municipalities.

It was felt that detailed negotiations with each landowner were preferable to wholesale expropriations so that a mutually agreed location for the Trail could be established by some form of easement agreement or outright acquisition with willing landowners only.

On its maps in the Preliminary Proposals the Niagara Escarpment Commission showed an approximate route only with the actual route to be determined after negotiations with the affected landowners. Many landowners took exception to the designation of the Trail on their properties even though it was described as approximate. Other landowners who were content to permit the Trail on their properties with just a handshake agreement became concerned at the possible permanancy implicit in a Trail designation on a map.

It would appear from what the hearing officers have heard that at or about this time the public was becoming better informed about the *Niagara Escarpment Planning and Development Act* itself. Opposition to the Bruce Trail by many landowners became a rallying point in the continuing fight agains the *Niagara Escarpment Planning and Development Act* and the Proposed Plan.

At the present time large sections of the Trail are on public roads which in many cases are not suitable locations for it.

The location of the Bruce Trail is not shown on maps forming part of the Proposed Plan, however, a general location of the Trail is shown on a reference map which was issued with the Proposed Plan but does not form a part thereof. This leaves the location of the Trail to be negotiated with willing landowners.

Unfortunately the Bruce Trail has been the recipient of much of the antagonism generated towards the *Niagara Escarpment Planning and Development Act* and the Proposed Plan. This became evident when accusations were made time and time again as to the Association's stewardship and care of the Trail and its facilities. No one was able to say with assurance that it was members of the various Trail associations who were involved and it became readily apparent that the Trail was accessible to the general public and not restricted to Association members. Trail officials and members of the associations were most fair in their remarks and where some infraction or another was pointed out they always expressed a ready willingness to sit down with the complainants and attempt to resolve the matter.

While it has been made clear and repeated time after time by the Niagara Escarpment Commission and the various Trail associations that there is no intention or desire to acquire any portion of the Trail other than by agreement with willing landowners, the fact remains that the *Niagara Escarpment Planning and Development Act* as was pointed out still makes provision for the acquisition of lands by expropriation.

One must come to the inescapable conclusion that much of the antagonisms inherited by the Bruce Trail Association could have been mitigated if in the original proposals this important aspect of the Plan had been dealt with in the manner now contained in the Proposed Plan.

Generally speaking we agree with the approach to the Bruce Trail contained in the Proposed Plan.

CHAPTER 7

AGRICULTURE

The hearing officers were informed by the Niagara Escarpment Commission that while the area of the Proposed Plan includes some good agricultural land it was only included because that land is directly related in some other way to the Escarpment. While at all times the Niagara Escarpment Commission took the position that proper recognition had been given to the agricultural capabilities of these lands there were many appearing before us who were not in agreement with this contention. Because the emphasis on recreation and other uses is called for in the *Niagara Escarpment Planning and Devopment Act* it was felt that agricultural uses had been somewhat demeaned. It became quite apparent during the course of these hearings that many farmers were greatly concerned with the apparent emphasis being placed on recreational uses by both the Proposed Plan and the *Niagara Escarpment Planning and Development Act* which they considered to be incompatible with successful farming operations.

Wherever the Proposed Plan places emphasis on certain land uses as compared with others *WE RECOMMEND THAT SUCH EMPHASIS BE REMOVED.* An example of this is contained in the last sentence in the blue printing of Section 2.2, Escarpment Natural Areas:

> "Emphasis is placed on recreational land uses, forest and wildlife management programs."

In our opinion the actual wording of the *Niagara Escarpment Planning and Development Act* led the Niagara Escarpment Commission to prepare the Proposed Plan in the manner in which it did with respect to agricultural lands.

We feel that where good farmlands exist within the boundaries of the Plan such lands should be protected from any incompatible uses.

This section of the Proposed Plan dealing with agriculture is one of the most important components since the majority of the land mass which comprises the Plan contains rural lands. It, therefore, becomes imperative that any controls which will be placed on operating farms must be looked at with careful scrutiny. This whole matter was further emphasized by the active role taken by the Ontario Federation of Agriculture during these hearings.

The fact that regulations and controls affecting operating farms which may be contained within the Plan must be carefully considered is borne out by the following quote from a letter dated April 29, 1980 from the Niagara Escarpment Commission to the President of the Ontario Federation of Agriculture:

> "Receipt is acknowledged of your letter of 25 February 1980 with respect to the contents of a letter from Mr. Warren Wiley, your representative on the Niagara Escarpment Commission's Advisory Committee. Mr. Wiley's

> observations have been of great assistance to the Commission during the preparation of the Proposed Plan, and I can assure you that these latest observations from him will receive the full consideration of the Commission before recommendations go forward to the Minister at the conclusion of the public hearings".

This letter formed part of the submission of the Ontario Federation of Agriculture (Submission 176).

We have concluded from this letter that the Niagara Escarpment Commission itself is not entirely satisfied with the treatment of agriculture in the Proposed Plan and from all the evidence adduced we agree that the sections of the Plan dealing with agriculture fall far short of what is necessary to protect the farming community and to ensure the continued operation of this vital industry.

While the *Niagara Escarpment Planning and Development Act* seems to indicate that farming should be made compatible to other uses we feel that the reverse should be the case.

Although, as indicated above, the Niagara Escarpment Commission intends to make further recommendations concerning the agriculture component of the Plan, we the hearing officers make the following recommendation: *THAT IT BE MADE CLEAR IN THE PROPOSED PLAN THAT ALL DEVELOPMENT ADJACENT TO OPERATING FARMS MUST BE COMPATIBLE WITH THE FARMING OPERATION AND NOT THE REVERSE.*

Another major issue as far as the farming community was concerned was the contention that the land severance policies contained in the Plan were far too restrictive. This aspect is dealt with in the section of this report on Part 2, Land Use Policies.

CHAPTER 8

MINERAL RESOURCE AREAS

Witnesses for the Niagara Escarpment Commission pointed out on several occasions that in addition to the *Niagara Escarpment Planning and Development Act*, it was given further direction by the June 1973 Government Policy Statement on the Niagara Escarpment. As far as pits and quarries were concerned the Niagara Escarpment Commission received direction from this Policy which reads in part as follows:

> "The Policy which the Government will adopt on pits and quarries will have the following features:
>
> (a) Within the Niagara Escarpment Planning Area, the Government will establish a "Pits and Quarries Restrictive Zone". Within this zone, new pits or quarries -- including wayside pits -- will be prohibited. The Niagara Escarpment Task Force has outlined a proposed restrictive zone shown on a map attached to this Statement. This zone has been delineated on the basis of prominent topographic features associated with the Escarpment, unique and scenic areas and recreational sites. As an interim measure, the Government is

adopting the restrictive zone as recommended, and will issue no new permits within this area. The restrictive zone will be reviewed by the Niagara Escarpment Commission as part of its planning program, and any necessary changes will be made when the master plan for the Escarpment is adopted.

(b) Within the "Pits and Quarries Restrictive Zone", if a licensed pit or quarry is found, by the Niagara Escarpment Commission, to be in serious conflict with the goals and objectives for the Escarpment, the Government will work with the operator to seek an alternative location. This might necessitate the construction of access roads, aid in assembling land, and freight cost assistance. The old site would be rehabilitated by the operator and turned over to an appropriate Government agency.

(c) To protect the Escarpment's valuable mineral resources, the Niagara Escarpment Commission will be asked to designate "Mineral Resource Areas" in the Escarpment corridor. New pits and quarries will be permitted in these areas under standards to be defined in the master plan for the Escarpment.

Finally, the Task Force has recommended that changes be made in *The Pits and Quarries Control Act* to simplify permit

> procedures for small operators producing less than 10,000 cubic yards per year. The Task Force also recommends the publication of a booklet explaining in simple language the complex regulations under *The Pits and Quarries Control Act*. The Government accepts both these recommendations and will take appropriate action."

The Niagara Escarpment Commission dealt with these in the following ways:

(a) The Niagara Escarpment Commission considers that the Escarpment Natural Areas and the Escarpment Protection Areas should form the revised Pits and Quarries Restrictive Zone.

(b) In this regard the Niagara Escarpment Commission stated that from an environmental point of view perhaps some of these operations should not have been licensed in the first place but in the Commission's view it would be preferable to permit existing operations to continue to the conclusion period of the licence and then to rehabilitate them, rather than to open up new sites elsewhere.

(c) As far as this directive is concerned we are of the opinion that the Niagara Escarpment Commission did not properly carry it out, since the only designated areas are those licensed for extraction by the

> Minister of Natural Resources and four areas which at the time were in the process of being licensed.

In this regard we feel that the Niagara Escarpment Commission should have designated in some manner high priority mineral resource protection areas. In its paper entitled "Socio-Economic Issues in Preparation of the Proposed Plan" the Niagara Escarpment Commission stated that this could have been done but that the information available to it could not be used in the Proposed Plan because the data was not completely reliable for land use designation purposes. On April 17, 1980 in a revision to its paper entitled "Mineral Resource Areas" the Niagara Escarpment Commission advised the hearing that it had received new data from the Ministry of Natural Resources on the high priority resource areas in the area of the Proposed Plan and in considering the revised demand estimates provided by the Ministry, the amount of aggregate available in the areas currently licensed and in the Escarpment Rural Areas would appear to meet the projected demand to the year 2001.

In spite of this we are of the opinion that high priority mineral resource protection areas should be identified in the Proposed Plan. This identification would not designate them for extraction but would be part of a wise and sensible plan for resource management not only in the Proposed Plan area but elsewhere in the Province. In this respect we were provided with the Provincial Policy regarding mineral aggregate provisions for local official plans. This was Exhibit 129 in these hearings. Section 5 of that policy reads:

> "That the Province in cooperation with the municipalities must identify areas of high aggregate resource potential and define these areas required for possible future extraction adequate to meet future provincial demands."

We are of the opinion that this policy is mandatory in this regard and were very surprised to hear a planner with the Ministry of Housing state at the hearings that this policy has been construed to be implemented on an ad hoc basis and in this connection this planner referred to meetings with officials of the interested parties where agreement has been arrived at in a spirit of compromise. There have been occasions where municipalities have accommodated the Ministry of Natural Resources and its proposed mineral resource designations and others where they are reluctant to designate the aggregate resource.

A large part of the hearing process was devoted to the mineral resource matter. It should be noted, however, that by far the largest extent of this time was involved in individual submissions by interested parties rather than at the hearing portion dealing with the Plan in general (Phase I). The whole issue regarding mineral resources is one that is very emotionally charged in the best of cases and this hearing was no exception. The panel attempted on numerous occasions to inform participants that it was not dealing with nor did it intend to deal with any authority or permission to operate gravel pits or any form of aggregate extraction. It should be clear to any reasonable person that there are other governmental authorities which maintain jurisdiction in all the allied areas that an applicant must traverse before the right to remove aggregate is given.

This panel would therefore *RECOMMEND: THAT HIGH PRIORITY MINERAL RESOURCE AREAS AS IDENTIFIED BY THE MINISTRY OF NATURAL RESOURCES BE INCLUDED AS PART OF THE PROPOSED PLAN AND THAT THIS BE DONE PREFERABLY BY MEANS OF "OVERLAYS" TO THE MAPS THAT FORM PART OF THE PROPOSED PLAN.* In this respect while witnesses for the Niagara Escarpment Commission agreed with the "flagging" of high priority mineral resource areas they did not agree that such "flagging" form part of the Plan but be included simply as a matter of information.

CHAPTER 9

SOCIO-ECONOMIC CONDITIONS

Under Subsection 2 of Section 3 of the *Niagara Escarpment Planning and Development Act* the Niagara Escarpment Commission was required, among other things, to survey the social and economic conditions in relation to the development of the Planning Area.

It was the subject of many submissions, that the Niagara Escarpment Commission did not make the necessary surveys covering these two requirements.

In response to this the Niagara Escarpment Commission referred to its paper entitled "Socio-Economic Issues in Preparation of the Proposed Plan" which states that the Niagara Escarpment Commission was of the opinion that if it utilized as much as possible of local official plans, it would avoid any excessive negative socio-economic impacts. In effect the Niagara Escarpment Commission therefore relied on others apparently having done the necessary surveys. Also in this regard the Niagara Escarpment Commission presented a paper entitled "Some Economic Development Considerations" prepared by Emrik H. Suichies. Dr. Suichies was engaged to prepare this paper subsequent to the Proposed Plan being released.

While it is apparent that the Niagara Escarpment Commission did not directly survey the socio-economic conditions but relied on the work of others not directly connected with the preparation of the Plan, we do not feel that this deficiency is sufficient to justify its rejection.

CHAPTER 10

DEVELOPMENT CONTROL

One of the most controversial aspects of the whole hearing process was the matter of development control through the issue of development permits. As the Proposed Plan indicates the Niagara Escarpment Commission has opted for this form of land use control because it was felt that the environmental factors can best be controlled by this method.

From the evidence adduced at these hearings opposition was taken to development control by the issue of development permits on the basis that an individual would not be aware of all the conditions that would have to be met to obtain such a permit. Further, in this regard, great objection was taken in many submissions to Section 2.9 as it appears in the Proposed Plan due to the following statement contained in that section:

> "The implementing body, when considering development applications may apply additional criteria."

It was pointed out to us in these submissions that this would not be the case if the Plan is implemented by zoning by-laws since zoning by-laws spell out the requirements and conditions that have to be met and as a result an applicant under the zoning by-law method would be aware of all restrictions and requirements to be complied with.

The "Government Policy for the Niagara Escarpment" dated June 1973 states the Province's support for this form of development control by its acceptance of the principle stated by the Task Force. However, the pertinent legislation, the *Niagara Escarpment Planning and Development Act (1973)*, giving rise to the Plan is not nearly as firm on this point. A perusal of the legislation dealing with this and other aspects of development control makes liberal use of the word "may" rather than "shall", which in our opinion indicates that there is another option available to be used.

It would appear that the Commission's strongest reasons for using the development control permit method is its alleged ability to deal more precisely with the environmental features of a property. The hard fact is, however, that the Niagara Escarpment Commission has no natural scientists on its staff and all existing applications either dealt with or pending have no biophysical inventory. As a matter of fact the evidence of Ivor McMullin expresses clearly that the Niagara Escarpment Commission determined all such applications on the basis of reports prepared by its planning staff as to the impact of any proposal on the natural environment. Cecil Louis, a Senior Planner with the Niagara Escarpment Commission, provided us with the interesting fact that in spite of close scrutiny of environmental factors some 90% of all applications were approved of which 70% were for residential development.

As evidence of the arbitrariness of the development control permit process, the following are only two examples of the differential treatment that may be accorded applicants for permits:

1. Sherman Sand and Gravel Limited
   N.E.C. File No. H/I/79/119
2. Don W. Cave et al
   N.E.C. File No. H/C/79/338

In the case of example No. 1 the application complied with a use which was permitted in the Proposed Plan and had no objection from the Ministry of the Environment or the Ministry of Natural Resources but was refused by the Niagara Escarpment Commission for the following reasons:

> "The proposal would have a negative effect on the landscape directly associated with Rattlesnake Point; and because of the conflict with Section 2.9.2 (Development Criteria) the proposal is seen to conflict with the Proposed Plan for the Niagara Escarpment."

In the case of the second example, an application was approved in spite of the fact that it was not even for a permitted use under the Proposed Plan and no reasons were given for its approval.

We have used these two examples only, of the subjective decisions which were arrived at under the interim development control process.

In the opinion of the hearing officers the evidence adduced concerning the development control permit process confirms the recommendation of the Planning Act Review Committee in Background Paper No. 3 entitled "Planning Act Review Committee Recommendations on Development Control". This reads as follows:

> "The Committee feels that a development permit system such as that used in Britain is not desirable, since it lacks certainty and has a high potential for arbitrariness and misuse of municipal power."

Under the zoning process of *The Planning Act* in use in the Province of Ontario no such arbitrariness or misuse of power is possible due to its many safeguards.

As the hearing progressed the panel was made aware by many submissions of a desire to retain in perpetuity the present interim system of control. These may be divided into two groups: firstly, those who have had expeditious treatment by the Niagara Escarpment Commission and have received permits, and secondly, those who have had no direct interest in land ownership represented by certain groups who felt the environmental issues could be better addressed through development control permits as opposed to zoning.

Of great concern to the hearing officers was the procedure invoked by the Niagara Escarpment Commission in considering applications before it. Too often we heard where an applicant was not permitted to address the Niagara Escarpment Commission on his application nor was the staff report available for his scrutiny prior to the hearing. In fact there was a period when he was not even permitted to be in the room during the consideration of the application. It appears, however, that this procedure has been modified lately to at least permit attendance at hearings.

If in the minds of the Niagara Escarpment Commission the interim development controls were intended to be a test for their retention in the future as the method of plan implementation then the effort fell short of the mark.

In our opinion this kind of hearing dealing with the rights of people such as an application before the Niagara Escarpment Commission for a development permit should at all times have been conducted under the provisions of *The Statutory Powers and Procedures Act*. Indeed this Act provides that where Commissions and other bodies make decisions such as those made by the Niagara Escarpment Commission the provisions of the Act unless that body is specifically exempted must be followed.

The procedure used by the Niagara Escarpment Commission in dealing with development control permits represents a denial of natural justice, even though such was perhaps not intended.

Accordingly, we can only *RECOMMEND THAT THE PROPOSED PLAN, WHEN FINANLIZED, BE IMPLEMENTED AT THE LOCAL LEVEL BY ZONING BY-LAWS INCLUDING PROVISION FOR SITE PLAN CONTROL PURSUANT TO THE PROVISIONS OF THE PLANNING ACT.*

In making this recommendation, it is expected that this Plan will be incorporated into local official plans.

This recommendation is not based on adverse criticism of how the Niagara Escarpment Commission has been operating the system of interim development control but on all the evidence adduced, as well as the fact that zoning in the Province of Ontario has become the accepted method of land use planning and as a result the citizens of Ontario are, or should be, familiar with the zoning by-law process.

It is our firm belief that acceptance of this recommendation will do much to dispell the concerns and fears of the unknown as expressed by many landowners directly affected by the Proposed Plan.

CHAPTER 11

RECREATION

Section 8 of the *Niagara Escarpment Planning and Development Act* under paragraph (c) states as follows:

> "to provide adequate opportunities for outdoor recreation".

The reason for the above quote is readily understood in the light of the very nature of the physical shape of the Niagara Escarpment and its suitability over many of its parts for all kinds of recreational pursuits. This includes such things as hiking, trails, summer cottages, parks, skiing, and nature study.

In its Plan the Niagara Escarpment Commission has endeavoured to provide for all of these uses to varying degrees over the length of the Escarpment. During the course of the hearings we heard pro and con as to whether the Niagara Escarpment Commission had properly provided for recreation uses in its Plan. We were advised by the Niagara Escarpment Commission that the main application of the Recreation designation was to the ownership of existing recreational facilities and little or no consideration was given to the expansion of these facilities or introduction of new areas. The

Niagara Escarpment Commission also adopted the provisions of municipal official plans as to recreational lands where in the opinion of the Commission such met the objectives of the *Niagara Escarpment Planning and Development Act.*

In certain individual submissions we heard sufficient evidence for us to make recommendations for changing the designation from that proposed to the Escarpment Recreation designation. In our considered opinion in doing so, we accept the premise put before us that the Niagara Escarpment Commission in applying its Escarpment Recreation designation to existing facilities and some use of local official plans restricted itself unnecessarily.

CHAPTER 12

PART 2 OF THE PROPOSED PLAN

LAND USE POLICIES

This section of the report deals with Part 2 of the Proposed Plan, Land Use Policies, and since this Part as previously stated is the effective operating section of the Plan each section is dealt with in some detail and contains comments and recommendations based on the evidence adduced at the hearings.

2.1 Introduction

At the time of the hearings when dealing with the section on Land Use Policies, many objections were raised respecting the absence of any flexibility concerning the boundaries of the various designations.

It is common practise to place in any official plan a clause to avoid any administrative uncertainty concerning this important aspect.

Accordingly we *RECOMMEND THAT A NEW PARAGRAPH BE ADDED IN THIS SECTION TO PROVIDE FOR THE POSSIBILITY THAT A BOUNDARY LINE MAY BE*

MOVED IN CONFORMITY WITH SITE SPECIFIC INFORMATION WITHOUT THE NECESSITY OF AN AMENDMENT TO THE PROPOSED PLAN.

WE RECOMMEND THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN EXCEPT FOR REFERENCES TO SECTION 2.9 and 2.10 WHICH SECTIONS HAVE BEEN RECOMMENDED FOR DELETION IN THIS REPORT.

2.2 Escarpment Natural Areas

We *RECOMMEND THAT UNDER THE HEADING PERMITTED USES ALL THE WORDS AFTER THE WORD "DWELLING" IN SUBSECTION 3 BE DELETED SO THAT THIS SUBSECTION WILL NOW READ AS FOLLOWS:*

3. SINGLE FAMILY DWELLINGS.

It is felt the words recommended for deletion serve no useful purpose in that local hazard land requirements would restrict any undesirable construction.

Site specific studies required under official plans or made to be required would ensure the compatability with the Escarpment Natural designation.

On the basis of the evidence adduced during the hearing we have reached the conclusion that the Proposed Plan should not remove rights on existing lots, provided requirements as above can be met.

Under the "New Lots" heading of Section 2.2 we are of the opinion that owners should not be denied the right to make application for the creation of a new lot or lots. Such applications would then be considered on their merits since there may be instances, for example, where the creation of a new lot would not really detract from the objectives of the Plan. When one considers the word "natural" in the Escarpment Natural designation it would seem logical to assume that such designated lands would be unbuildable for various reasons, however, there are lands under this designation on which there would be no problems as far as allowing buildings are concerned. It is this aspect of which we have concern in that there are certain lands which are designated "natural" and in effect such designation would have the result of private owners providing open space or natural areas without the necessity of such lands being purchased by some public authority. It is also this latter concern which leads us to make the *RECOMMENDATION THAT THE CREATION OF NEW LOTS IN ESCARPMENT NATURAL AREAS BE PROVIDED FOR IN THE PLAN, AND THE WORD "ONLY" BE REMOVED FROM THE "NEW LOTS" SUBSECTION AS WRITTEN.*

We feel, on the basis of evidence adduced, that the "New Lots" subsection of this section is excessively restrictive and hence the recommendation to allow for the possibility of new lots being created in Escarpment Natural Areas.

One of the permitted uses in the Escarpment Natural Areas, as well as in other designations, is "essential transportation and utility facilities". This was the subject of several objections particularly to its being included in the "Escarpment Natural" designation. In the opinion of the panel the possibility of these uses being developed in all designations must be provided for since they are essential to proper planning and development.

It is further *RECOMMENDED THAT SUBJECT TO THE ABOVE RECOMMENDATIONS, THE BALANCE OF SECTION 2.2 BE ACCEPTED AS WRITTEN.*

2.3 Escarpment Protection Areas

In view of the fact that in many cases the Escarpment Protection Areas are indistinguishable from the Escarpment Rural Areas we feel that there should be some provision allowing for more development than is contemplated by the Proposed Plan that would neither detract significantly from it nor the provisions of the *Niagara Escarpment Planning and Development Act.*

The evidence established conclusively that where privately owned lands were deemed to be sufficiently important to provide a buffer area the Plan should not preclude the fundamental right of at least being permitted to make an application for a low density rural plan of subdivision or condominium on lands designated Escarpment Protection.

Accordingly it is *RECOMMENDED THAT A NEW SUBSECTION BE ADDED UNDER NEW LOTS SIMILAR TO NO. 3 UNDER THE ESCARPMENT RURAL AREAS.*

It should be noted that we have used this premise in dealing with several individual submissions that requested a designation change from Escarpment Protection to one that would permit the possibility of such development. Therefore if this recommendation is not accepted then our recommendations in submissions in this category would have been to change the designation in many of the cases to Escarpment Rural. In some cases, the evidence was such that a change to Escarpment Rural should have been recommended but we have chosen to rely on the above recommendation and leave the designation as proposed. Further, if this recommendation is not accepted then a very great number of landowners will have been dealt with most unfairly. This applies to several submissions including those numbered 92, 230, 231, 234, 330, 332, 345, 350, 359, 360, 417, 424, 443, 555, 563, 564, 565, 566, 594 and 677.

All this general recommendation does is permit the application for a low density rural plan of development in the areas designated Escarpment Protection but does not guarantee that such development would occur. Such development would depend on all the necessary requirements being met including site specific analysis.

2.4 Escarpment Rural Areas

Several submissions were concerned with the use of the word "compatible" in Objective No. 3 in this section. The objection was registered on the basis that in the Escarpment Rural designation it seems to be more realistic that other uses should be compatible to agriculture. On the basis of this and other evidence adduced it is *RECOMMENDED THAT THE WORD "COMPATIBLE" BE DELETED FROM OBJECTIVE NO. 3 IN SECTION 2.4.*

During the course of the hearings several submissions requested that there be some provision for retirement lots for farmers in the Proposed Plan. While the requests made for a more generous farm severance policy in the Plan may have considerable merit its implementation could cause serious difficulties at the local level. It could well be that the local official plan with respect to farm related severances may be more restrictive than those that would be brought into the Plan by any recommendation we might make. We have made a recommendation under Section 2.9.7 covering this which we feel deals satisfactorily with this matter.

Subject to the recommendation herein it is *RECOMMENDED THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

2.5 Minor Urban Centres

The only observation that we consider should be made is regarding the expansion of Minor Urban Centres into Escarpment Natural Areas or Escarpment Protection Areas. This problem is created where the present red dot denoting Minor Urban Centres is completely surrounded by an Escarpment Natural Area or an Escarpment Protection Area since Growth Objective No. 1 might be construed in such a way as to preclude development being expanded into "Escarpment Natural" or "Escarpment Protection" designations.

In order to overcome this problem it is *RECOMMENDED THAT UNDER THE HEADING "GROWTH OBJECTIVES" A NEW SUBSECTION NO. 7 BE ADDED INDICATING THAT NOTHING CONTAINED IN THESE OBJECTIVES WILL PREVENT THE EXPANSION OF A MINOR URBAN CENTRE INTO EITHER ESCARPMENT NATURAL OR ESCARPMENT PROTECTION AREAS PROVIDING THE PROPER REQUIREMENTS CAN BE MET WHICH AMONG OTHER THINGS WOULD NOT ALLOW FOR ANY EXTENSION INTO HAZARD OR UNBUILDABLE LANDS.*

SUBJECT TO THE RECOMMENDATION HEREIN IT IS RECOMMENDED THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.

2.6 Urban Centres

During the course of the hearings several submissions were critical of the Urban Centres designation and policies. As a result of this the Niagara Escarpment Commission through its witnesses recommended to the hearing officers that the concept of having Group One and Group Two should be changed to having only one classification that being Urban Centres. We *CONCUR IN THIS RECOMMENDATION AND ADOPT THE FOLLOWING WORDING PROVIDED BY THE NIAGARA ESCARPMENT COMMISSION STAFF WHICH COMBINES ALL SECTIONS UNDER 2.6 TO A SINGLE SECTION:*

> *"URBAN CENTRES*
>
> *THIS DESIGNATION IDENTIFIES URBAN CENTRES IN WHICH THE ESCARPMENT AND CLOSELY RELATED LANDS ARE LOCATED. IN SOME CENTRES (e.g. HAMILTON) THE ESCARPMENT IS STILL LARGELY UNDEVELOPED, ALTHOUGH SURROUNDED BY EXISTING DEVELOPMENT. IN OTHER CENTRES, HOWEVER, (e.g. WIARTON), URBAN GROWTH ALREADY HAS ENCROACHED SUBSTANTIALLY ON THE ESCARPMENT.*
>
> *OBJECTIVE*
>
> *TO MINIMIZE THE IMPACT OF URBAN GROWTH ON THE ESCARPMENT ENVIRONMENT.*

CRITERIA FOR DESIGNATION

URBAN DEVELOPMENT AND COMMITTED URBAN AREAS ON OR ADJACENT TO THE ESCARPMENT AS PROVIDED FOR IN AN APPROVED MUNICIPAL OFFICIAL PLAN AND/OR SECONDARY PLAN.

URBAN CENTRES

CITY OF ST. CATHARINES
CITY OF THOROLD
TOWN OF GRIMSBY
TOWN OF STONEY CREEK
TOWN OF ANCASTER
CITY OF HAMILTON
TOWNSHIP OF FLAMBOROUGH
TOWN OF DUNDAS
CITY OF OWEN SOUND
TOWNSHIP OF DERBY
TOWN OF WIARTON
VILLAGE OF LION'S HEAD

BOUNDARIES

THE URBAN CENTRE DESIGNATION IS SHOWN IN PINK ON THE PROPOSED PLAN MAPS.

THE BOUNDARIES OF THE URBAN CENTRE DESIGNATION GENERALLY REFLECT THOSE ESTABLISHED IN AN APPROVED MUNICIPAL OFFICIAL PLAN AND/OR SECTONDARY PLAN. ANY CHANGES TO THE BOUNDARIES WOULD REQUIRE AN AMENDMENT TO THE

NIAGARA ESCARPMENT PLAN.

PERMITTED USES AND NEW LOTS

THE RANGE OF PERMITTED USES AND THE CREATION OF NEW LOTS, WHERE APPLICABLE, WILL BE SUBJECT TO THE GROWTH OBJECTIVES SET OUT BELOW AS INCORPORATED INTO APPROVED LOCAL OFFICIAL PLANS AND BY-LAWS.

GROWTH OBJECTIVES

1. *ALL DEVELOPMENT SHOULD BE OF AN URBAN DESIGN COMPATIBLE WITH THE VISUAL AND NATURAL ENVIRONMENT OF THE ESCARPMENT. WHERE APPROPRIATE THE PROVISION FOR ADEQUATE SETBACKS AND SCREENING SHOULD BE REQUIRED TO MINIMIZE THE VISUAL IMPACT OF URBAN DEVELOPMENT ON THE ESCARPMENT LANDSCAPE.*
2. *NEW LOTS SHOULD NOT BE CREATED TO INCLUDE THE ESCARPMENT BROW, FACE OR SLOPE WHERE SUCH IS IN AN ESCARPMENT NATURAL OR ESCARPMENT PROTECTION AREA DESIGNATION, EXCEPT WHERE SUCH LOT CREATION IS FOR THE PURPOSE OF CORRECTING CONVEYANCES, ENLARGING EXISTING LOTS OR THROUGH ACQUISITION BY A PUBLIC BODY.*
3. *ADEQUATE PUBLIC ACCESS TO THE ESCARPMENT SHOULD BE PROVIDED BY MEANS OF WALKWAYS OR PEDESTRIAN TRAILS.*
4. *ALL DEVELOPMENT SHOULD BE COMPATIBLE WITH THE CONSERVATION, PROTECTION AND RESTORATION OF THE COMMUNITIES' HISTORICAL CHARACTER AND ARCHAEOLOGICAL*

SITES, AND BUILDINGS AND SITES OF ARCHITECTURAL AND/OR HISTORICAL INTEREST, IN ACCORDANCE WITH DEVELOPMENT CRITERIA 2.9.8.

5. *SPECIAL ATTENTION SHOULD BE GIVEN TO THE PROTECTION AND RESTORATION OF THE HISTORICAL CHARACTER OF THE FORMER VILLAGE OF WATERDOWN THROUGH THE PROVISIONS OF THE ONTARIO HERITAGE ACT.*

6. *GROWTH SHOULD BE COMPATIBLE WITH THE PROTECTION AND CONSERVATION OF UNIQUE ECOLOGIC AREAS, WILDLIFE HABITATS, STREAMS AND WATER SUPPLIES AND OTHER ENVIRONMENTALLY SENSITIVE AREAS BOTH INSIDE AND ADJACENT TO URBAN CENTRES."*

In addition to the "Growth Objectives" set out in the Niagara Escarpment Commission staff recommendation which we recommend be accepted, we are of the opinion that a No. 7 should be added. Accordingly we make the following *RECOMMENDATION:*

THAT NO. 7 BE ADDED TO THE "GROWTH OBJECTIVES" INDICATING THAT NOTHING CONTAINED IN THESE OBJECTIVES WILL PREVENT THE CREATION OF A LOT FOR DEVELOPMENT PURPOSES FROM EXTENDING INTO AN ESCARPMENT NATURAL OR ESCARPMENT PROTECTION AREA PROVIDING THE PROPER REQUIREMENTS CAN BE MET WHICH AMONG OTHER THINGS WOULD NOT ALLOW FOR ANY EXTENSION INTO HAZARD OR UNBUILDABLE LANDS.

This recommendation is self-explanatory and in keeping with our recommendation for Section 2.5, Minor Urban Centres.

2.7 Escarpment Recreation Areas

As mentioned in the section on Recreation there are more areas designated than just those of major existing recreational areas designated as Escarpment Recreation Areas, therefore it is *RECOMMENDED THAT THE SECTION IN BLUE PRINT BE AMENDED TO INDICATE THIS FACT.*

It is further *RECOMMENDED THAT OBJECTIVE NO. 4 BE AMENDED BY DELETING ALL THE WORDS AFTER "AREAS" SO THAT NO. 4 WILL READ:*

> *4. TO PROVIDE FOR THE DEVELOPMENT OF NEW SKI CENTRES OR OTHER RECREATIONAL AREAS.*

It is our opinion that the inclusion of the words that are now recommended for deletion are redundant since under the legislation, application as a right can be made for amendment to the Plan in any event.

If our recommendation in Submission 489 to delete the area in which the mouth of the Jordan Harbour is located is accepted *THEN OBJECTIVE NO. 5 IS ALSO RECOMMENDED TO BE DELETED.*

Since the areas designated Escarpment Recreation include more than established areas it is therefore *RECOMMENDED THAT CRITERIA FOR DESIGNATION NO. 1 AND NO. 2 BE AMENDED TO INCLUDE THE FACT THAT MORE THAN ESTABLISHED AREAS ARE INCLUDED.*

It is further *RECOMMENDED THAT ALL NAMES OF LOCATIONS AND SPECIFIC SITES UNDER CRITERIA FOR DESIGNATIONS NO. 1 AND NO. 2 BE DELETED.* We feel that these serve no useful purpose and if n, an amendment to the Proposed Plan would be required every- either a name change occurred or a deletion or addition was required.

Again if our recommendation in Submission 489 to delete the area in which the mouth of Jordan Harbour is located is accepted *THEN CRITERIA NO. 4 IS RECOMMENDED TO BE DELETED.*

UNDER "PERMITTED USES", NO. 5 SHOULD BE DELETED IF OUR RECOMMENDATION TO DELETE THE AREA IN WHICH JORDAN HARBOUR IS LOCATED IS ACCEPTED.

It is *RECOMMENDED THAT ALL REFERENCE TO SECTION 2.9 BE DELETED. SUBJECT TO THE RECOMMENDATIONS HEREIN IT IS RECOMMENDED THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

2.8 Mineral Resource Areas

A perusal of Section 2.8, Mineral Resource Areas, contained within the Proposed Plan indicates clearly the reliance placed by the Niagara Escarpment Commission in drawing up this section upon the provisions of a proposed aggregate act that may or may not see the light of day. In our opinion any references to such proposed new legislation is not properly a matter for inclusion in this Plan or indeed any official plan.

In our section on Mineral Resource Areas we have recommended that high priority Mineral Resource Areas be identified and included as part of the Plan. In effect this creates another designation in the Proposed Plan therefore as a result of this

WE RECOMMEND THAT THE PARAGRAPH IN BLUE TYPE BE DELETED AND REPLACED WITH THE FOLLOWING:

> *MINERAL RESOURCE AREAS INCLUDE EXTRACTION AREAS AND AREAS OF HIGH PRIORITY MINERAL RESOURCES. THE DESIGNATED EXTRACTION AREAS ARE AREAS LICENSED PURSUANT TO THE PITS AND QUARRIES CONTROL ACT AND FOUR AREAS WHICH WERE IN THE PROCESS OF BEING LICENSED.*

This recommended wording came about from the submission of the Aggregate Producers' Association of Ontario.

We *RECOMMEND THAT OBJECTIVES NO. 1 AND NO. 2 BE DELETED FROM THE PROPOSED PLAN AND BE REPLACED WITH THE FOLLOWING:*

1. *TO DESIGNATE MINERAL RESOURCE EXTRACTION AREAS.*
2. *TO DESIGNATE HIGH PRIORITY MINERAL RESOURCE PROTECTION AREAS (WHICH IS DONE BY MEANS OF OVERLAYS WHICH FORM PART OF THE PLAN).*

In our opinion Objective No. 1 as written in the Proposed Plan is based upon the optimistic assumption that a new act will be passed in which such a requirement will be provided.

Objective No. 2 in our opinion, as written in the Proposed Plan is redundant since application, as a right, can be made for amendment to the Plan in any event.

As far as the "Criteria for Designation" is concerned we have no recommendation but feel that the naming of the four pits in No. 3, which are those that were in the process of being licensed at the time of the preparation of the Plan, is redundant and unnecessary.

In the section entitled "Accessory Uses" one of the examples given is asphalt plants. A great many objections to such a use in the area covered by the Proposed Plan were registered during the hearings. In our opinion this is given as an example of possible uses by the Niagara Escarpment Commission and it should not be construed as a use that would occur in all Mineral Resource designated areas therefore we can see no reason why this example should be removed from this section of the Plan.

We further *RECOMMEND THAT THE SECTION COVERING "EXISTING LICENSED AREA" BE DELETED.* We feel that it is largely predicated upon the provisions of a proposed aggregate act which we have previously pointed out may or may not see the light of day.

Subject to the recommendations herein it is *RECOMMENDED THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9 Development Criteria

Since it has been recommended elsewhere in this report that the implementation of the Proposed Plan be by zoning by-laws at the local level and not "development control" the provisions contained under Section 2.9 are redundant and it is *RECOMMENDED THAT THIS SECTION BE REMOVED IN ITS ENTIRETY FROM THE PROPOSED PLAN AND ANY OTHER REFERENCES TO SECTION 2.9 CONTAINED IN THIS PLAN SHOULD ALSO*

BE DELETED.

It is pointed out that the development criteria contained in the various sections of this Plan are already in place and will form the basis for the preparation of the necessary implementing zoning by-laws. In any event the application of "additional criteria" without the benefit of all parties having advance knowledge is in our opinion distasteful to say the least. This cannot happen under the zoning method of implementation since zoning by-laws spell out all the necessary requirements.

2.9.1 Existing Uses

The heading printed in blue in view of our recommendation elsewhere in this report should be amended to delete reference to mineral extraction operations and it is therefore *RECOMMENDED THAT THIS BLUE PORTION SIMPLY READ AS FOLLOWS:*

> *THE OBJECTIVE IS GENERALLY NOT TO DISRUPT EXISTING USES.*

It is also *RECOMMENDED THAT NO. 1 UNDER THIS HEADING BE DELETED.* This recommendation is made in view of the fact that it is predicated in part on a new pits and quarries act not yet in existence.

Subject to these specific recommendations and the necessary renumbering, it is *RECOMMENDED THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.2 Development on Existing Lots

Sections (a) and (b) under Section 1 of 2.9.2 are too subjective in their nature to be included in this section in that a landowner would not be able to determine what requirements he would have to meet accordingly we *RECOMMEND THAT THESE TWO PORTIONS BE REMOVED.* Also in 2.9.2 it is *RECOMMENDED THAT REFERENCE TO THE LAND COMPENSATION BOARD BE REMOVED.* It is not its function to determine fair market value without conducting a hearing arising from expropriation.

In our opinion, based on evidence adduced at the hearings, the period of one year in which the decision to purchase or not is too lengthy and accordingly we *RECOMMEND THAT THIS LENGTH OF TIME BE REDUCED TO SIX MONTHS.*

Subject to these specific recommendations and any necessary renumbering we *RECOMMEND THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.3 Lot Creation

One of our recommendations under Section 2.3 is to permit low density rural plans of subdivision or condominium and other compatible forms of lot ownership in the Escarpment Protection Areas accordingly we *RECOMMEND THAT PART 6 UNDER THIS SECTION (2.9.3) BE AMENDED TO READ AS FOLLOWS:*

> *6. IN ESCARPMENT RURAL AREAS AND ESCARPMENT PROTECTION AREAS, NEW LOTS MAY BE CREATED BY A LIMITED NUMBER*

OF LOW DENSITY RURAL PLANS OF SUBDIVISION OR CONDOMINIUM AS MAY BE PROVIDED FOR IN LOCAL OFFICIAL PLANS.

We *RECOMMEND THAT THE BALANCE OF PART 6 BE DELETED SINCE THE APPROVAL OF PLANS OF SUBDIVISIONS RESTS WITH THE MINISTRY OF HOUSING OR SUCH OTHER AUTHORITIES AS DESIGNATED.*

Subject to these specific recommendations and any necessary renumbering we *RECOMMEND THAT THE BALANCE OF THE SECTION BE ACCEPTED AS WRITTEN.*

2.9.4 New Development Adjacent to Streams, Lakes and Wetlands

2.9.5 New Development Adjacent to Ravines

2.9.6 New Development Within Wooded Areas

In view of our recommendation that the Plan be implemented by zoning, these sections constitute material to be used as guidelines for incorporation into zoning by-laws and accordingly we *RECOMMEND THAT THESE SECTIONS BE ACCEPTED AS WRITTEN AND IT SHOULD BE POINTED OUT AND BE MADE CLEAR THAT THESE SECTIONS ARE INTENDED TO BE FOR ESTABLISHING GUIDELINES FOR THE PREPARATION OF ZONING BY-LAWS.*

2.9.7 Agriculture

While Agriculture is the subject of a separate section in this report further recommendations, based on the evidence, are necessary. *IT IS RECOMMENDED THAT:*

1. *NO. 2, UNDER SECTION 2.9.7, BE DELETED.*

2. *A NEW SECTION BE ADDED TO 2.9.7 TO PERMIT THE POSSIBILITY OF A RETIREMENT LOT FOR A FARMER BEING CREATED SUBJECT TO THE FOOD LAND GUIDELINES AND THE PROVISIONS OF THE EXISTING LOCAL OFFICIAL PLANS.*

Subject to these specific recommendations and the necessary renumbering it is *RECOMMENDED THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.8 Heritage

Since elsewhere in this report we have recommended implementation is to be by local zoning by-laws, it is *RECOMMENDED THAT IT BE POINTED OUT AND BE MADE CLEAR THAT THIS SECTION IS INTENDED TO BE FOR THE PURPOSE OF ESTABLISHING GUIDELINES FOR THE PREPARATION OF THE NECESSARY IMPLEMENTING ZONING BY-LAWS.* This section as it is written sets out mainly subjective requirements which an owner would have great difficulty in determining what he has to meet in preparation of plans he may have for his lands. Since zoning by-laws must be more specific this problem will be largely overcome if 2.9.8 is used as a guideline only.

Accordingly, it is *RECOMMENDED THAT THIS SECTION BE ACCEPTED AS WRITTEN WITH THE ABOVE RECOMMENDATION INCORPORATED.*

2.9.9 Forest Management

Our main concern is that expressed by several landowners where they had anticipated a commercial return being made from their woodlots and not being able to get permission to engage in such cutting. It is *RECOMMENDED THAT PROVISION BE MADE THAT APPROVAL FOR SUCH CUTTING WILL NOT BE UNREASONABLY WITHHELD WHERE IT CAN BE SHOWN THAT SUCH CUTTING MEETS WITH STANDARDS SET BY THE MINISTRY OF NATURAL RESOURCES.*

It is further *RECOMMENDED THAT:*

1. *SUBSECTION 3 OF SECTION 2.9.9 BE AMENDED TO READ AS FOLLOWS:*

   ALL PUBLIC AUTHORITIES SHALL SUBMIT DETAILS OF TREE CUTTING PLANS TO THE MINISTRY OF NATURAL RESOURCES FOR APPROVAL BEFORE ENTERING INTO ANY AGREEMENT INVOLVING THE CUTTING OF TREES.

We are of the opinion, based on the evidence, that the Ministry of Natural Resources is the best equipped body to give such approval.

2. *THAT SUBJECTION 6 OF SECTION 2.9.9 BE DELETED.*

We have grave doubts as to the practicality of local by-laws being more restrictive than the policies of this Plan. (See recommendation regarding Section 2.10.1.)

Subject to these specific recommendations and any necessary renumbering we *RECOMMEND THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.10 Transportation and Utilities

It is *RECOMMENDED THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.11 Recreation

During the course of these hearings and as a result of several submissions made, the Niagara Escarpment Commission staff suggested wording to replace No. 4 and add a No. 5 under this section. We concur in this and *RECOMMEND THAT THE FOLLOWING WORDING BE ADOPTED:*

> *"4. SNOWMOBILE AND OTHER MOTORIZED VEHICLE TRAILS WILL NOT BE PERMITTED IN THE ESCARPMENT NATURAL DESIGNATION, ESCARPMENT RECREATION AREAS OR ON THE ESCARPMENT SLOPES IN URBAN CENTRE AREAS.*
>
> *5. IN THE REMAINING DESIGNATIONS, SNOWMOBILE AND OTHER MOTORIZED VEHICLE TRAILS WILL BE DESIGNED AND LOCATED SO AS TO NOT ADVERSELY AFFECT ADJOINING PRIVATE LANDOWNERS AND THE ENVIRONMENT. DEER WINTERING YARDS, OTHER IMPORTANT ECOLOGICAL AREAS AND NATURE RESERVE ZONES IN PARKS SHALL BE AVOIDED."*

It is further *RECOMMENDED THAT THE BALANCE OF THE SECTION BE ACCEPTED AS WRITTEN.*

2.9.12 Escarpment Recreation Areas

We *RECOMMEND THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.9.13 Mineral Resources

We *RECOMMEND THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

2.10 Implementation of Land Use Policies

It is *RECOMMENDED THAT THIS SECTION BE REMOVED FROM THE PLAN.* This is covered in the *Niagara Escarpment Planning and Development Act* and does not need to be repeated in the Proposed Plan.

2.10.1 Relationship to Local Official Plans

We *RECOMMEND THAT THIS SECTION BE DELETED FROM THE PLAN.* The *Niagara Escarpment Planning and Development Act* provides for the status of the Plan, and the *Niagara Escarpment Planning and Development Act* cannot be amended by the Plan. In addition Section 2.10.1 in the Proposed Plan reads as follows:

> "If a municipal official plan or by-law is more restrictive than the Niagara Escarpment Plan, that plan or by-law shall be deemed not to be in conflict if it conforms with the general intent and purpose of the Niagara Escarpment Plan."

In this regard, we can find no authority for local plans being more restrictive than the Niagara Escarpment Plan. In arriving at this conclusion we have also considered the opinion provided to us by Stephen Stepinac, Counsel for the Niagara Escarpment Commission, in support of the Niagara Escarpment Commission's position.

2.10.2 Land Use Control - Implementation

Elsewhere in this report we have recommended that implementation be by local zoning by-laws and *ACCORDINGLY THIS SECTION IS TO BE AMENDED TO CONFORM WITH THAT RECOMMENDATION.*

2.10.3 Amendments to the Niagara Escarpment Plan, and

2.10.4 Review of the Niagara Escarpment Plan

We *RECOMMEND THAT THESE TWO SECTIONS BE DELETED. The Niagara Escarpment Planning and Development Act* covers these matters and should not be duplicated in the Proposed Plan. There is always the possibility of the *Niagara Escarpment Planning and Development Act* being amended and new provisions would then prevail.

IT SHOULD BE NOTED HERE THAT THESE RECOMMENDATIONS MAY RESULT IN THE NECESSITY OF RENUMBERING THE VARIOUS SECTIONS.

CHAPTER 13

PART 3 OF THE PROPOSED PLAN

ESCARPMENT PARKS AND ACQUISITION POLICIES

The Proposed Plan places great import upon the establishment of a multipurpose parks system and indeed this dates back to the recommendations contained in the Gertler Report. It is therefore astounding to find the critical analysis of the Plan by the Ministry of Natural Resources in Submission 214 in these proceedings.

We were informed by the Niagara Escarpment Commission that the Ministry of Natural Resources was one of the major participants in the preparation of the Proposed Plan. This concerned us when we heard Submission 214 which contained several recommendations for changes to the Plan as written.

We will now proceed to deal with each section of Part 3 of the Proposed Plan and endeavour to arrive at certain recommendations in order not to delay the approval of a plan.

Section 3.1 Past Acquisition Programs

This section is really historic in nature and does not add to the dimension of the Plan and therefore we leave this in the hands of the Niagara Escarpment Commission as to whether it should remain in the Plan or not.

Section 3.2 The Niagara Escarpment Parks System

It is our *RECOMMENDATION BASED ON THE EVIDENCE THAT THE NIAGARA PARKS COMMISSION BE RECOGNIZED AS ONE OF THE OWNERS OF LANDS IN THE NIAGARA ESCARPMENT PARKS SYSTEM.* It is further *RECOMMENDED THAT THE BALANCE OF THE SECTION BE ACCEPTED AS WRITTEN.*

Section 3.2.1 Objectives

The evidence of the Ministry of Natural Resources recommended that reference to the "Ontario Parks Planning and Management Policies" be removed. We *CONCUR WITH THIS RECOMMENDATION AND ACCORDINGLY RECOMMEND THAT REFERENCE TO THE "ONTARIO PARKS PLANNING AND MANAGEMENT POLICIES" BE DELETED FROM SECTION 3.2.1.*

It is further *RECOMMENDED THAT THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

Section 3.2.2 Organization

We have accepted the recommendations of the Ministry of Natural Resources for this section and accordingly we *RECOMMEND THE FOLLOWING:*

- *THAT THE FIRST SENTENCE OF THIS SECTION, SUGGESTING THAT THE NIAGARA ESCARPMENT PARKS WILL FORM A SUB-*

SYSTEM WITHIN THE PROVINCIAL PARKS SYSTEM BE DELETED.

- *THAT THIS SECTION EXPLAIN CLEARLY THAT THE NIAGARA ESCARPMENT PARKS SYSTEM WILL CONSIST OF PARKS MANAGED BY TEN DIFFERENT AGENCIES: EIGHT CONSERVATION AUTHORITIES, THE NIAGARA PARKS COMMISSION, AND THE MINISTRY OF NATURAL RESOURCES, TIED TOGETHER BY A COMMON SET OF OBJECTIVES AND AN OVERALL SET OF POLICIES AND GUIDELINES WHICH ARE AGREED TO BY ALL AGENCIES INVOLVED.*
- *THAT THE ADMINISTRATION OF THE NIAGARA ESCARPMENT PARKS SYSTEM, AND THE DETAILS OF ITS SET-UP WILL BE THE SUBJECT OF DISCUSSION BETWEEN THE NIAGARA ESCARPMENT COMMISSION, MINISTRY OF NATURAL RESOURCES, THE CONSERVATION AUTHORITIES, AND THE NIAGARA PARKS COMMISSION, PRIOR TO PREPARATION OF THE FINAL PLAN.*

Although these recommendations are those of the Ministry of Natural Resources we have accepted them on the basis of all the evidence.

3.2.3 Park Classification

On the basis of the evidence, we *RECOMMEND THAT SECTION 3.2.3 BE DELETED AND REPLACED WITH A STATEMENT TO THE EFFECT THAT A SYSTEM OF PARK CLASSIFICATION WILL BE ESTABLISHED BY CONSULTATION AND AGREEMENT BETWEEN ALL THE PUBLIC PARK AUTHORITIES CONCERNED.*

3.2.4 Guidelines for Park Master Plan

In light of our recommendations for Sections 3.2; 3.2.1; 3.2.2; and 3.2.3 it is *RECOMMENDED THAT ANY NECESSARY REVISIONS BE MADE IN THIS SECTION, 3.2.4.*

Having considered all the evidence, we also make the following *RECOMMENDATION ON SECTION 3.2.4:*

1. *THAT GUIDELINE NO. 1 BE DELETED (REFER TO RECOMMENDATION IN SECTION 3.2).*
2. *THAT GUIDELINE NO. 2 BE DELETED AND REPLACED WITH:*

   > *PARK MASTER PLANS SHOULD SUPERCEDE LAND USE DESIGNATIONS OF THIS PLAN WHEREVER A CONFLICT APPEARS.*

3. *THAT THIS SECTION BE AMENDED TO PROVIDE THAT APPROVED EXISTING MASTER PLANS BE ACCEPTED IN THE INITIAL STAGES.*
4. *THAT SUBJECT TO THE ABOVE RECOMMENDATIONS THE BALANCE OF THIS SECTION BE ACCEPTED AS WRITTEN.*

3.3 The Bruce Trail

We *RECOMMEND THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

3.4 Future Acquisition

This subsection deals with future acquisition of parklands. It calls for a five-year program to be funded at the rate of at least $5,000,000 per year. It is proposed that the acquisition funds should be provided from the proceeds of "Wintario". A priority list sets out the lands to be acquired and their respective acreages.

The publication in the Proposed Plan of the list of lands to be acquired has in the minds of many owners placed a shadow on their holdings and impaired their salability. The seriousness of this is underlined by the fact that the estimated period of purchase of these lands will take the full five years from the date of the approval of the Proposed Plan.

It was intimated by many knowledgeable owners that in this troubled economy a considerably longer period may be required to acquire their lands.

The Plan in this section also states that "all acquisitions are intended to occur only when landowners express a willingness to sell or donate their property to a public authority". This would seem to indicate that all properties designated for acquisition would be purchased. All this leads us to *RECOMMEND THAT THE PLAN BE MODIFIED BY AMENDING SECTION 3.4 TO PROVIDE FOR A DEFINITE PROGRAM FOR THE TIMING OF ACQUISITION OF THOSE LANDS WHICH WILL BE DESIGNATED IN THE PLAN AS FINALLY APPROVED AND ONLY AFTER THE AFFECTED PROPERTY OWNERS HAVE BEEN SO ADVISED.*

3.5 Role of the Ministry of Natural Resources

We *RECOMMEND THAT THIS SECTION BE ACCEPTED AS WRITTEN.*

We have made this recommendation in spite of the fact that the Ministry of Natural Resources stated at the hearing its opinion as to the difficulty of dealing with this, as there is no indication of the details of co-ordination set out in the Plan. However, we do not see this as a problem since the Ministry of Natural Resources will be in complete control of such co-ordination.

3.6 Methods of Land Acquisition

We *RECOMMEND THAT THE PLAN BE AMENDED BY DELETING THIS SECTION.* It purports to set out normal procedures that would take place in any negotiations for the sale and purchase of lands.

We have elsewhere in this report referred to the proposed use of the Land Compensation Board.

3.7 Proposed and Existing Escarpment Parks

We have no recommendation as far as this section is concerned but would suggest in view of all the queries raised by the various authorities and some other owners as to names, descriptions, etc., that if this section is to be left in the Plan the Niagara Escarpment Commission take steps to ensure its complete accuracy.

CHAPTER 14

PART 4 OF THE PROPOSED PLAN

GENERAL RECOMMENDATIONS

Since we have recommended elsewhere in this report that the Plan be implemented by zoning by-laws, at the local level, we *RECOMMEND THAT THE FOLLOWING SECTIONS BE DELETED FROM THE PROPOSED PLAN AS THEY ARE NO LONGER RELEVANT:*

4.1 Administration and Implementation of the Plan
4.1.1 Functions to be Performed
4.1.2 Provincial and Municipal Roles
4.1.3 Land Use Control: Development Control and/or Zoning By-laws
4.1.4 Development Control and the Niagara Escarpment Plan
4.1.5 Implementing Body for Land Use Controls
4.1.6 Development Control - Delegation to Cities in Regional Municipalities
4.1.7 Development Control - Notification of Decisions
4.1.8 Development Control - Appeals
4.1.9 Recommendations on Implementation

The remainder of the section in this part of the Proposed

Plan basically ends up with recommendations. A recommendation does not represent a finality of action which would warrant its incorporation into a plan such as this Plan or indeed any official plan.

Accordingly, it is *RECOMMENDED THAT IF THE NIAGARA ESCARPMENT COMMISSION SO WISHES THESE MAY BE INCLUDED AS AN APPENDIX TO THE PROPOSED PLAN.*

CHAPTER 15

PART 5 OF THE PROPOSED PLAN

APPENDIX

We have no comment on the Appendix, Part 5, except perhaps that it should be brought up-to-date.

CHAPTER 16

PART 6 OF THE PROPOSED PLAN

DEFINITIONS

This section did not receive too much attention during the course of the hearing except perhaps as to the definition of a "viable farm unit". Since this is, in our opinion, impossible to define in a satisfactory manner we *RECOMMEND THAT THIS DEFINITION BE REMOVED.*

We have recommended elsewhere in this report that this part, Definitions, become Part 1 and form part of the Proposed Plan.

CHAPTER 17

SUMMARY OF HEARING OFFICERS'

GENERAL RECOMMENDATIONS

1. *THAT THE PLAN BE ACCEPTED AS MODIFIED BY THE GENERAL RECOMMENDATIONS ELSEWHERE IN THIS REPORT AND BY THE SPECIFIC RECOMMENDATIONS SET OUT IN CERTAIN SUBMISSIONS NUMBERED 1 TO 743 INCLUSIVE.*

2. *THAT PART 1 OF THE PROPOSED PLAN BECOME AN APPENDIX TO THE PLAN AND NOT FORM PART OF THE PLAN.*

   (Chapter 2)

3. *THAT PART 6 OF THE PROPOSED PLAN BECOME PART 1 AND BE MADE PART OF THE PLAN.*

   (Chapter 2)

4. *THAT WHEREVER THE PROPOSED PLAN PLACES EMPHASIS ON CERTAIN LAND USES AS COMPARED WITH OTHERS THAT SUCH EMPHASIS BE REMOVED.*

   (Chapter 7)

5. *THAT IT BE MADE CLEAR IN THE PROPOSED PLAN THAT ALL DEVELOPMENT ADJACENT TO OPERATING FARMS MUST BE COMPATIBLE WITH THE FARMING OPERATION AND NOT THE REVERSE.*

(Chapter 7)

6. *THAT HIGH PRIORITY MINERAL RESOURCE AREAS AS IDENTIFIED BY THE MINISTRY OF NATURAL RESOURCES BE INCLUDED AS PART OF THE PROPOSED PLAN AND THAT THIS BE DONE PREFERABLY BY MEANS OF "OVERLAYS" TO THE MAPS THAT FORM PART OF THE PROPOSED PLAN.*

(Chapter 8)

7. *THAT THE PROPOSED PLAN WHEN FINALIZED BE IMPLEMENTED AT THE LOCAL LEVEL BY ZONING BY-LAWS INCLUDING PROVISION FOR SITE PLAN CONTROL PURSUANT TO THE PROVISIONS OF The Planning Act.*

(Chapter 10)

8. *THAT A NEW PARAGRAPH BE ADDED TO SECTION 2.1 TO PROVIDE FOR THE POSSIBILITY THAT A BOUNDARY LINE MAY BE MOVED IN CONFORMITY WITH SITE SPECIFIC INFORMATION WITHOUT THE NECESSITY OF AN AMENDMENT TO THE PROPOSED PLAN.*

(Chapter 12)

9. *THAT SECTION 2.2 UNDER THE HEADING "PERMITTED USES" BE AMENDED TO DELETE ALL THE WORDS AFTER THE WORD "DWELLINGS" IN SUBSECTION 3 SO THAT THIS SUBSECTION WILL NOW READ AS FOLLOWS:*

   3. SINGLE FAMILY DWELLINGS.

   (Chapter 12)

10. *THAT SECTION 2.2 BE MODIFIED TO PROVIDE FOR THE CREATION OF NEW LOTS IN ESCARPMENT NATURAL AREAS, AND THE WORD "ONLY" BE REMOVED FROM THE "NEW LOTS" SUBSECTION AS WRITTEN.*

    (Chapter 12)

11. *THAT A NEW SUBSECTION BE ADDED UNDER "NEW LOTS" IN SECTION 2.3, ESCARPMENT PROTECTION AREAS, SIMILAR TO NO. 3 UNDER ESCARPMENT RURAL AREAS (SECTION 2.4).*

    (Chapter 12)

12. *THAT THE WORD "COMPATIBLE" BE DELETED FROM OBJECTIVE NO. 3 IN SECTION 2.4, ESCARPMENT RURAL AREAS.*

    (Chapter 12)

13. *THAT SECTION 2.5, MINOR URBAN CENTRES, BE MODIFIED BY ADDING A NEW SUBSECTION 7 INDICATING THAT NOTHING CONTAINED IN*

THESE OBJECTIVES WILL PREVENT THE EXPANSION OF A MINOR URBAN CENTRE INTO EITHER ESCARPMENT NATURAL OR ESCARPMENT PROTECTION AREAS PROVIDING THE PROPER REQUIREMENTS CAN BE MET WHICH, AMONG OTHER THINGS WOULD NOT ALLOW FOR ANY EXTENSION INTO HAZARD OR UNBUILDABLE LANDS.

(Chapter 12)

14. *THAT ALL SECTIONS UNDER SECTION 2.6 BE COMBINED INTO A NEW SINGLE SECTION TO READ AS FOLLOWS:*

URBAN CENTRES -

THIS DESIGNATION IDENTIFIES URBAN CENTRES IN WHICH THE ESCARPMENT AND CLOSELY-RELATED LANDS ARE LOCATED. IN SOME CENTRES (e.g. HAMILTON) THE ESCARPMENT IS STILL LARGELY UNDEVELOPED, ALTHOUGH SURROUNDED BY EXISTING DEVELOPMENT. IN OTHER CENTRES, HOWEVER, (e.g. WIARTON), URBAN GROWTH ALREADY HAS ENCROACHED SUBSTANTIALLY ON THE ESCARPMENT.

OBJECTIVE -

TO MINIMIZE THE IMPACT OF URBAN GROWTH ON THE ESCARPMENT ENVIRONMENT.

CRITERION FOR DESIGNATION -

URBAN DEVELOPMENT AND COMMITTED URBAN AREAS ON OR ADJACENT TO THE ESCARPMENT AS PROVIDED FOR IN AN APPROVED MUNICIPAL OFFICIAL PLAN AND/OR SECONDARY PLAN.

URBAN CENTRES -

CITY OF ST. CATHARINES
CITY OF THOROLD
TOWN OF GRIMSBY
TOWN OF STONEY CREEK
TOWN OF ANCASTER
CITY OF HAMILTON
TOWNSHIP OF FLAMBOROUGH
TOWN OF DUNDAS
CITY OF OWEN SOUND
TOWNSHIP OF DERBY
TOWN OF WIARTON
VILLAGE OF LION'S HEAD

BOUNDARIES -

THE URBAN CENTRE DESIGNATION IS SHOWN IN PINK ON THE PROPOSED PLAN MAPS.

THE BOUNDARIES OF THE URBAN CENTRE DESIGNATION GENERALLY REFLECT THOSE ESTABLISHED IN AN APPROVED MUNICIPAL OFFICIAL PLAN AND/OR SECONDARY PLAN. ANY CHANGES TO THE BOUNDARIES WOULD

REQUIRE AN AMENDMENT TO THE NIAGARA ESCARPMENT PLAN.

PERMITTED USES AND NEW LOTS -

THE RANGE OF PERMITTED USES AND THE CREATION OF NEW LOTS, WHERE APPLICABLE, WILL BE SUBJECT TO THE GROWTH OBJECTIVES SET OUT BELOW AS INCORPORATED INTO APPROVED LOCAL OFFICIAL PLANS AND BY-LAWS.

GROWTH OBJECTIVES -

1. ALL DEVELOPMENT SHOULD BE OF AN URBAN DESIGN COMPATIBLE WITH THE VISUAL AND NATURAL ENVIRONMENT OF THE ESCARPMENT. WHERE APPROPRIATE, THE PROVISION FOR ADEQUATE SETBACKS AND SCREENING SHOULD BE REQUIRED TO MINIMIZE THE VISUAL IMPACT OF URBAN DEVELOPMENT ON THE ESCARPMENT LANDSCAPE.

2. NEW LOTS SHOULD NOT BE CREATED TO INCLUDE THE ESCARPMENT BROW, FACE OR SLOPE WHERE SUCH IS IN AN ESCARPMENT NATURAL OR ESCARPMENT PROTECTION AREA DESIGNATION, EXCEPT WHERE SUCH LOT CREATION IS FOR THE PURPOSE OF CORRECTING CONVEYANCES, ENLARGING EXISTING LOTS OR THROUGH ACQUISITION BY A PUBLIC BODY.

3. *ADEQUATE PUBLIC ACCESS TO THE ESCARPMENT SHOULD BE PROVIDED BY MEANS OF WALKWAYS OR PEDESTRIAN TRAILS.*

4. *ALL DEVELOPMENT SHOULD BE COMPATIBLE WITH THE CONSERVATION, PROTECTION AND RESTORATION OF THE COMMUNITIES' HISTORICAL CHARACTER AND ARCHAEOLOGICAL SITES, AND BUILDINGS AND SITES OF ARCHITECTURAL AND/OR HISTORICAL INTEREST, IN ACCORDANCE WITH DEVELOPMENT CRITERIA 2.9.8.*

5. *SPECIAL ATTENTION SHOULD BE GIVEN TO THE PROTECTION AND RESTORATION OF THE HISTORICAL CHARACTER OF THE FORMER VILLAGE OF WATERDOWN THROUGH THE PROVISIONS OF The Ontario Heritage Act.*

6. *GROWTH SHOULD BE COMPATIBLE WITH THE PROTECTION AND CONSERVATION OF UNIQUE ECOLOGIC AREAS, WILDLIFE HABITATS, STREAMS AND WATER SUPPLIES AND OTHER ENVIRONMENTALLY SENSITIVE AREAS BOTH INSIDE AND ADJACENT TO URBAN CENTRES.*

(Chapter 12)

15. *THAT A NO. 7 BE ADDED TO THE "GROWTH OBJECTIVES" UNDER THE NEW URBAN CENTRES*

SECTION TO INDICATE THAT NOTHING CONTAINED IN THESE GROWTH OBJECTIVES WILL PREVENT THE CREATION OF A LOT FOR DEVELOPMENT PURPOSES FROM EXTENDING INTO AN ESCARPMENT NATURAL AREA OR ESCARPMENT PROTECTION AREA PROVIDING THE PROPER REQUIREMENTS CAN BE MET WHICH AMONG OTHER THINGS WOULD NOT ALLOW FOR ANY EXTENSION INTO HAZARD OR UNBUILDABLE LANDS.

(Chapter 12)

16. *THAT THE SECTION IN BLUE PRINT UNDER 2.7, ESCARPMENT RECREATION AREAS, BE AMENDED TO INDICATE THE FACT THAT THERE ARE MORE AREAS DESIGNATED AS ESCARPMENT RECREATION AREAS THAN JUST THOSE OF MAJOR EXISTING RECREATIONAL AREAS.*

    (Chapter 12)

17. *THAT OBJECTIVE NO. 4 UNDER ESCARPMENT RECREATION AREAS BE AMENDED BY DELETING ALL THE WORDS AFTER "AREAS" SO THAT NO. 4 WILL READ:*

    4. TO PROVIDE FOR THE DEVELOPMENT OF NEW SKI CENTRES OR OTHER RECREATIONAL AREAS.

    (Chapter 12)

18. *THAT OBJECTIVE NO. 5 UNDER ESCARPMENT RECREATION AREAS BE DELETED. (THIS FOLLOWS FROM OUR RECOMMENDATION IN SUBMISSION 489 TO DELETE THE AREA IN WHICH THE MOUTH OF JORDAN HARBOUR IS LOCATED.)*

(Chapter 12)

19. *THAT CRITERIA FOR DESIGNATIONS, NO. 1 AND NO. 2, UNDER ESCARPMENT RECREATION AREAS BE AMENDED TO INCLUDE THE FACT THAT MORE THAN ESTABLISHED AREAS ARE INCLUDED.*

(Chapter 12)

20. *THAT ALL NAMES OF LOCATIONS AND SPECIFIC SITES UNDER CRITERIA FOR DESIGNATIONS, NO. 1 AND NO. 2, IN ESCARPMENT RECREATION AREAS BE DELETED.*

(Chapter 12)

21. *THAT CRITERIA NO. 4 UNDER ESCARPMENT RECREATION BE DELETED. (THIS FOLLOWS FROM OUR RECOMMENDATION IN SUBMISSION 489 TO DELETE THE AREA IN WHICH THE MOUTH OF JORDAN HARBOUR IS LOCATED.)*

(Chapter 12)

22. *THAT SUBSECTION NO. 5 UNDER "PERMITTED USES" IN ESCARPMENT RECREATION AREAS BE DELETED.*

(THIS FOLLOWS FROM OUR RECOMMENDATION IN SUBMISSION 489 TO DELETE THE AREA IN WHICH JORDAN HARBOUR IS LOCATED.)

(Chapter 12)

23. *THAT THE PARAGRAPH IN BLUE TYPE UNDER THE MINERAL RESOURCE AREAS SECTION BE DELETED AND REPLACED WITH THE FOLLOWING:*

MINERAL RESOURCE AREAS INCLUDE EXTRACTION AREAS AND AREAS OF HIGH PRIORITY MINERAL RESOURCES. THE DESIGNATED EXTRACTION AREAS ARE AREAS LICENSED PURSUANT TO The Pits and Quarries Control Act AND FOUR AREAS WHICH WERE IN THE PROCESS OF BEING LICENSED.

(Chapter 12)

24. *THAT OBJECTIVES NO. 1 AND NO. 2 UNDER THE MINERAL RESOURCE AREAS SECTION BE DELETED AND REPLACED WITH THE FOLLOWING:*

    1. *TO DESIGNATE MINERAL RESOURCE EXTRACTION AREAS.*

    2. *TO DESIGNATE HIGH PRIORITY MINERAL RESOURCE AREAS (WHICH IS DONE BY*

MEANS OF OVERLAYS WHICH FORM PART OF THE PLAN).

(Chapter 12)

25. *THAT THE SECTION COVERING "EXISTING LICENSED AREAS" UNDER MINERAL RESOURCE AREAS BE DELETED.*

(Chapter 12)

26. *THAT SECTION 2.9, DEVELOPMENT CRITERIA, BE REMOVED IN ITS ENTIRETY FROM THE PROPOSED PLAN AND ANY AND ALL REFERENCES TO SECTION 2.9 IN THE PLAN SHOULD ALSO BE DELETED.*

(Chapter 12)

27. *THAT THE HEADING IN BLUE PRINT UNDER EXISTING USES (SECTION 2.9.1) BE AMENDED TO READ AS FOLLOWS:*

    THE OBJECTIVE IS GENERALLY NOT TO DISRUPT EXISTING USES.

(Chapter 12)

28. *THAT NO. 1 UNDER THE HEADING "EXISTING USES", SECTION 2.9.1, BE DELETED.*

(Chapter 12)

29. *THAT SECTIONS (a) and (b) UNDER SECTION 1 OF SECTION 2.9.2 BE DELETED.*

(Chapter 12)

30. THAT REFERENCE TO THE LAND COMPENSATION BOARD BE DELETED FROM SECTION 2.9.2, DEVELOPMENT ON EXISTING LOTS.

(Chapter 12)

31. THAT THE LENGTH OF TIME IN WHICH THE DECISION TO PURCHASE OR NOT, BE REDUCED TO SIX MONTHS IN SECTION 2.9.2, DEVELOPMENT ON EXISTING LOTS.

(Chapter 12)

32. THAT PART 6 UNDER SECTION 2.9.3, LOT CREATION, BE AMENDED TO READ AS FOLLOWS:

    6. IN ESCARPMENT RURAL AREAS AND ESCARPMENT PROTECTION AREAS, NEW LOTS MAY BE CREATED BY A LIMITED NUMBER OF LOW DENSITY RURAL PLANS OF SUBDIVISION OR CONDOMINIUM AS MAY BE PROVIDED FOR IN LOCAL OFFICIAL PLANS.

(Chapter 12)

33. THAT SUBJECT TO THE IMMEDIATELY PRECEEDING RECOMMENDATION THE BALANCE OF PART 6 UNDER 2.9.3 BE DELETED.

(Chapter 12)

34. THAT SECTIONS 2.9.4; 2.9.5; and 2.9.6 BE ACCEPTED AS WRITTEN BUT THAT IT BE

MADE CLEAR THAT THESE SECTIONS ARE INTENDED TO BE FOR ESTABLISHING GUIDELINES FOR THE PREPARATION OF ZONING BY-LAWS.

(Chapter 12)

35. *THAT ITEM NO. 2 UNDER SECTION 2.9.7, AGRICULTURE, BE DELETED.*

(Chapter 12)

36. *THAT A NEW SUBSECTION BE ADDED TO SECTION 2.9.7, AGRICULTURE, TO PERMIT THE POSSIBILITY OF A RETIREMENT LOT FOR A FARMER BEING CREATED SUBJECT TO THE FOOD LAND GUIDELINES AND TO THE PROVISIONS OF EXISTING LOCAL OFFICIAL PLANS.*

(Chapter 12)

37. *THAT IT BE POINTED OUT AND MADE CLEAR THAT SECTION 2.9.8 (Heritage) IS INTENDED TO BE FOR THE PURPOSE OF ESTABLISHING GUIDELINES FOR THE PREPARATION OF THE NECESSARY IMPLEMENTING ZONING BY-LAWS.*

(Chapter 12)

38. *THAT PROVISION BE MADE IN SECTION 2.9.9, FOREST MANAGEMENT, THAT APPROVAL FOR COMMERCIAL CUTTING WILL NOT BE*

UNREASONABLY WITHHELD WHERE IT CAN BE SHOWN THAT SUCH CUTTING MEETS WITH THE STANDARDS SET BY THE MINISTRY OF NATURAL RESOURCES.

(Chapter 12)

39. *THAT SUBSECTION 3 OF SECTION 2.9.9, FOREST MANAGEMENT, BE AMENDED TO READ AS FOLLOWS:*

    3. *ALL PUBLIC AUTHORITIES SHALL SUBMIT DETAILS OF TREE CUTTING PLANS TO THE MINISTRY OF NATURAL RESOURCES FOR APPROVAL BEFORE ENTERING INTO ANY AGREEMENT INVOLVING THE CUTTING OF TREES.*

(Chapter 12)

40. *THAT SUBSECTION 6 OF SECTION 2.9.9, FOREST MANAGEMENT, BE DELETED.*

(Chapter 12)

41. *THAT SECTION 2.9.10, TRANSPORTATION AND UTILITIES, BE ACCEPTED AS WRITTEN.*

(Chapter 12)

42. *THAT NO. 4 UNDER 2.9.11, RECREATION, BE DELETED AND REPLACED WITH A NEW NO. 4 AND A NO. 5 BE ADDED BOTH TO*

READ AS FOLLOWS:

4. SNOWMOBILE AND OTHER MOTORIZED VEHICLE TRAILS WILL NOT BE PERMITTED IN THE ESCARPMENT NATURAL DESIGNATION, ESCARPMENT RECREATION AREAS OR ON THE ESCARPMENT SLOPES IN URBAN CENTRE AREAS.

5. IN THE REMAINING DESIGNATIONS, SNOWMOBILE AND OTHER MOTORIZED VEHICLE TRAILS WILL BE DESIGNED AND LOCATED SO AS NOT TO ADVERSELY AFFECT ADJOINING PRIVATE LANDOWNERS AND THE ENVIRONMENT. DEER WINTERING YARDS AND OTHER IMPORTANT ECOLOGICAL AREAS AND NATURE RESERVE ZONES IN PARKS SHALL BE AVOIDED.

(Chapter 12)

43. THAT SECTION 2.9.12, ESCARPMENT RECREATION AREAS, BE ACCEPTED AS WRITTEN.

(Chapter 12)

44. THAT SECTION 2.9.13, MINERAL RESOURCES, BE ACCEPTED AS WRITTEN.

(Chapter 12)

45. THAT SECTION 2.10, IMPLEMENTATION OF LAND USE POLICIES, BE REMOVED FROM THE PLAN.

(Chapter 12)

46. *THAT SECTION 2.10.1, RELATIONSHIP TO LOCAL OFFICIAL PLANS, BE REMOVED FROM THE PLAN.*
(Chapter 12)

47. *THAT SECTION 2.10.2, LAND USE CONTROL - IMPLEMENTATION, BE AMENDED TO CONFORM WITH OUR RECOMMENDATION THAT THE PLAN BE IMPLEMENTED BY LOCAL ZONING BY-LAWS.*
(Chapter 12)

48. *THAT SECTION 2.10.3, AMENDMENTS TO THE NIAGARA ESCARPMENT PLAN, BE DELETED.*
(Chapter 12)

49. *THAT SECTION 2.10.4, REVIEW OF THE NIAGARA ESCARPMENT PLAN, BE DELETED.*
(Chapter 12)

NOTE: Recommendations No. 8 to No. 49 inclusive will result in the necessity of renumbering the various sections.

50. *THAT IN SECTION 3.2, THE NIAGARA ESCARPMENT PARKS SYSTEM, THE NIAGARA PARKS COMMISSION BE RECOGNIZED AS ONE OF THE OWNERS OF LAND IN THE NIAGARA ESCARPMENT PARKS SYSTEM.*
(Chapter 13)

51. THAT REFERENCE TO THE "ONTARIO PARKS PLANNING AND MANAGEMENT POLICIES" BE DELETED FROM SECTION 3.2.1, OBJECTIVES.

(Chapter 13)

52. THAT SECTION 3.2.2, ORGANIZATION, BE AMENDED AS FOLLOWS:

THAT THE FIRST SENTENCE OF THIS SECTION BE DELETED.

THAT THIS SECTION EXPLAIN CLEARLY THAT THE NIAGARA ESCARPMENT PARKS SYSTEM WILL CONSIST OF PARKS MANAGED BY TEN DIFFERENT AGENCIES: EIGHT CONSERVATION AUTHORITIES, THE NIAGARA PARKS COMMISSION, AND THE MINISTRY OF NATURAL RESOURCES, TIED TOGETHER BY A COMMON SET OF OBJECTIVES AND AN OVERALL SET OF POLICIES AND GUIDELINES WHICH ARE AGREED TO BY ALL AGENCIES INVOLVED.

THAT THE ADMINISTRATION OF THE NIAGARA ESCARPMENT PARKS SYSTEM AND THE DETAILS OF ITS SET-UP WILL BE THE SUBJECT OF DISCUSSION BETWEEN THE NIAGARA ESCARPMENT COMMISSION, MINISTRY OF NATURAL RESOURCES, THE CONSERVATION AUTHORITIES, AND NIAGARA PARKS COMMISSION, PRIOR TO THE

PREPARATION OF THE FINAL PLAN.

(Chapter 13)

53. *THAT SECTION 3.2.3, PARK CLASSIFICATION, BE DELETED AND REPLACED WITH A STATEMENT TO THE EFFECT THAT A SYSTEM OF PARK CLASSIFICATION WILL BE ESTABLISHED BY CONSULTATION AND AGREEMENT BETWEEN ALL THE PUBLIC PARK AUTHORITIES CONCERNED.*

(Chapter 13)

54. *THAT THE NECESSARY REVISIONS BE MADE TO SECTION 3.2.4, GUIDELINES FOR PARK MASTER PLANS) IN THE LIGHT OF OUR RECOMMENDATIONS FOR SECTIONS 3.2; 3.2.1; 3.2.2 and 3.2.3.*

(Chapter 13)

55. *THAT SECTION 3.2.4 BE FURTHER AMENDED AS FOLLOWS:*

    1. *THAT GUIDELINE NO. 1 BE DELETED.*
    2. *THAT GUIDELINE NO. 2 BE DELETED AND REPLACED WITH:*

       PARK MASTER PLANS SHOULD SUPERCEDE LAND USE DESIGNATIONS OF THIS PLAN WHEREVER A CONFLICT APPEARS.
    3. *THAT THIS SECTION BE AMENDED TO*

PROVIDE THAT APPROVED EXISTING MASTER PLANS BE ACCEPTED IN THE INITIAL STAGES.

(Chapter 13)

56. *THAT SECTION 3.3, THE BRUCE TRAIL, BE ACCEPTED AS WRITTEN.*

(Chapter 13)

57. *THAT SECTION 3.4, FUTURE ACQUISITION, BE AMENDED TO PROVIDE FOR A DEFINITE PROGRAMME FOR THE TIMING OF ACQUISITION OF THOSE LANDS WHICH WILL BE DESIGNATED IN THE PLAN AS FINALLY APPROVED AND ONLY AFTER THE AFFECTED OWNERS HAVE BEEN SO ADVISED.*

(Chapter 13)

58. *THAT SECTION 3.5, ROLE OF THE MINISTRY OF NATURAL RESOURCES, BE ACCEPTED AS WRITTEN.*

(Chapter 13)

59. *THAT SECTION 3.6, METHODS OF LAND ACQUISITION, BE DELETED.*

(Chapter 13)

60. *THAT SECTIONS 4.1; 4.1.1; 4.1.2; 4.1.3; 4.1.4; 4.1.5; 4.1.6; 4.1.7; 4.1.8 and 4.1.9 BE DELETED.*

(Chapter 14)

61. *THAT THE NIAGARA ESCARPMENT COMMISSION, IF IT SO WISHES, MAY INCLUDE THE BALANCE OF PART 4 (NOT DEALT WITH IN THE IMMEDIATELY PRECEEDING RECOMMENDATION) AS AN APPENDIX TO THE PLAN.*

(Chapter 14)

62. *THAT PART 6 OF THE PROPOSED PLAN (WHICH WE HAVE HERETOFORE RECOMMENDED BECOME PART 1) BE AMENDED BY THE DELETION OF THE DEFINITION OF A "VIABLE FARM UNIT".*

(Chapter 16)

63. *THAT THE OWNERSHIP OF LAKE GIBSON BE REVIEWED BEFORE THE PLAN IS FINALIZED.*

(Submission No. 41)

IN ADDITION TO THESE GENERAL RECOMMENDATIONS THERE ARE SPECIFIC RECOMMENDATIONS CONTAINED IN THE FOLLOWING SUBMISSIONS:

Regional Municipality of Niagara

489, 490, 491, 493, 494, 495, 518, 541, 557, 599 and 603.

Regional Municipality of Hamilton-Wentworth

76, 78, 81, 82, 94, 107, 108, 110, 111, 112, 113, 114, 115, 116, 605, 606, and 675.

Regional Municipality of Halton

327, 349, 353, 368, 653, 669, 672, 673 and 674.

Regional Municipality of Peel

228 and 229.

County of Dufferin

250, 252, 258, 263, 264, 266, 267, 268, 270, 273, 309, 316, 318, 320, 324, 325, 699 and 704.

County of Simcoe

475.

County of Grey

405, 406, 407, 413, 414, 430, 438, 446, 467 and 472.

County of Bruce

373 and 375.

APPENDICES

APPENDIX (A)

Ontario

Niagara
Escarpment
Commission

416/877-5191

232 Guelph Street
Georgetown, Ontario
L7G 4B1

The Niagara Escarpment Planning and Development Act,
S.O. 1973, c. 52 as amended.

IN THE MATTER OF:

Hearings in respect of the Proposed Plan for the Niagara Escarpment.

Pursuant to section 10 of The Niagara Escarpment Planning and Development Act, S.O. 1973, C. 52, as amended, I hereby appoint Armour L. McCrae as chief hearing officer together with Walter T. Shrives and M. Dean Henderson as hearing officers, for the purpose of conducting one or more hearings, as the Minister may determine, within the Niagara Escarpment Planning Area or in the general proximity thereof for the purpose of receiving representations respecting the contents of the Proposed Plan for the Niagara Escarpment, and, not more than 3 months after the conclusion of the last hearing held, to report to the Niagara Escarpment Commission a summary of the representations made together with a report stating whether the Proposed Plan be accepted, rejected or modified, giving reasons therefor, and shall at the same time furnish the Minister with a copy of the report or reports for which a hearing or hearings was held.

(original signed by Ivor McMullin)

Ivor McMullin
Chairman
Niagara Escarpment Commission

Dated at Georgetown
this 17th day of
January, 1980

APPENDIX (B)

Ontario

Niagara
Escarpment
Commission

416/877-5191

232 Guelph Street
Georgetown, Ontario
L7G 4B1

CERTIFICATION

This is certified to be a true resolution passed by the Niagara Escarpment Commission at Meeting M203/1-80 on Thursday, January 17, 1980:

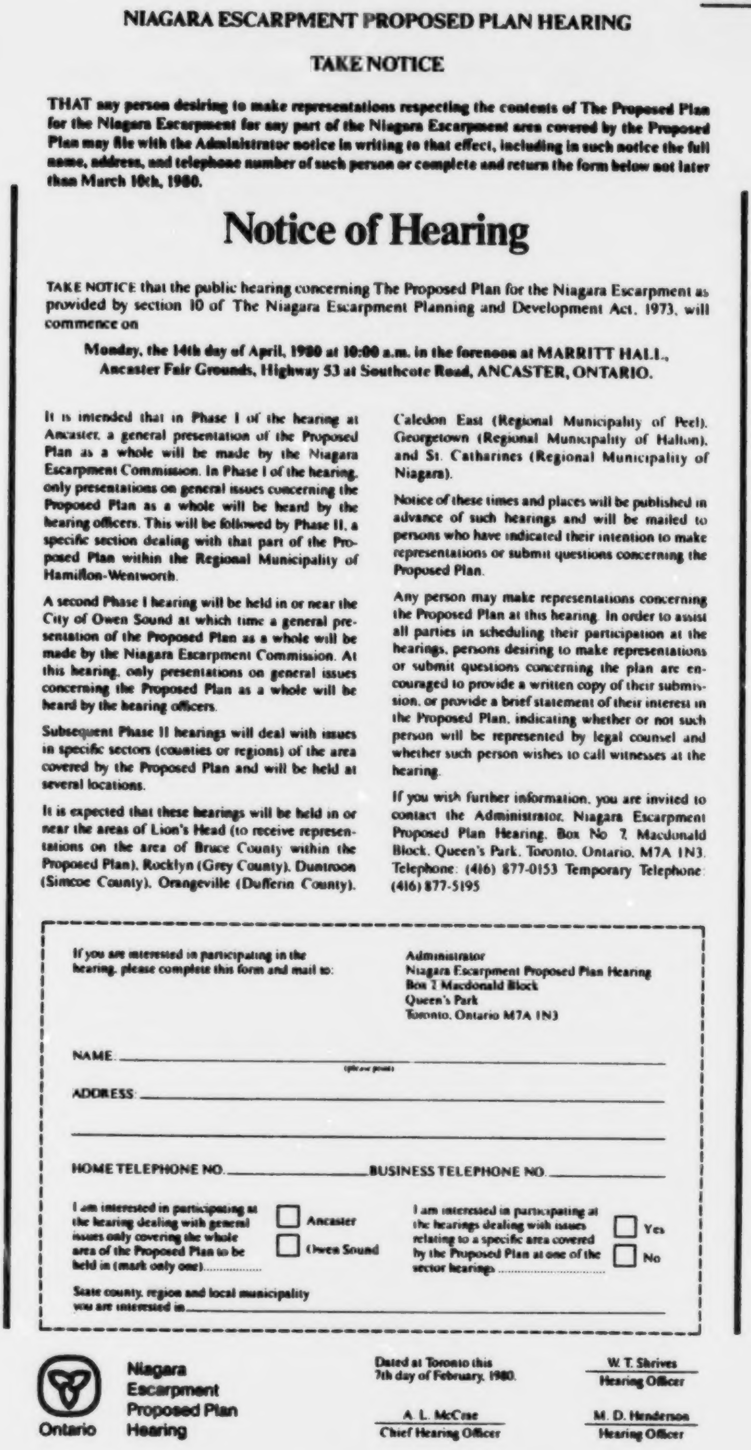
> IN ACCORDANCE WITH SECTION 10 OF THE NIAGARA ESCARPMENT PLANNING AND DEVELOPMENT ACT, THE NIAGARA ESCARPMENT COMMISSION APPOINTS MESSRS. ARMOUR L. McCRAE, M. DEAN HENDERSON AND WALTER T. SHRIVES AS HEARING OFFICERS FOR THE PURPOSE OF CONDUCTING ONE OR MORE HEARINGS WITHIN THE NIAGARA ESCARPMENT PLANNING AREA OR IN THE GENERAL PROXIMITY THEREOF FOR THE PURPOSE OF RECEIVING REPRESENTATIONS RESPECTING CONTENTS OF THE PROPOSED PLAN FOR THE NIAGARA ESCARPMENT. AT THE CONCLUSION OF THE HEARINGS, THE HEARING OFFICERS ARE TO REPORT TO THE COMMISSION WITH A COPY TO THE MINISTER IN ACCORDANCE WITH THE ACT.

(original signed by Ivor McMullin)

Ivor McMullin, Chairman
Niagara Escarpment Commission

Dated 17 January 1980
Georgetown, Ontario

APPENDIX (C)



NIAGARA ESCARPMENT PROPOSED PLAN HEARING

TAKE NOTICE

THAT any person desiring to make representations respecting the contents of The Proposed Plan for the Niagara Escarpment for any part of the Niagara Escarpment area covered by the Proposed Plan may file with the Administrator notice in writing to that effect, including in such notice the full name, address, and telephone number of such person or complete and return the form below not later than March 10th, 1980.

Notice of Hearing

TAKE NOTICE that the public hearing concerning The Proposed Plan for the Niagara Escarpment as provided by section 10 of The Niagara Escarpment Planning and Development Act, 1973, will commence on

Monday, the 14th day of April, 1980 at 10:00 a.m. in the forenoon at MARRITT HALL, Ancaster Fair Grounds, Highway 53 at Southcote Road, ANCASTER, ONTARIO.

It is intended that in Phase I of the hearing at Ancaster, a general presentation of the Proposed Plan as a whole will be made by the Niagara Escarpment Commission. In Phase I of the hearing, only presentations on general issues concerning the Proposed Plan as a whole will be heard by the hearing officers. This will be followed by Phase II, a specific section dealing with that part of the Proposed Plan within the Regional Municipality of Hamilton-Wentworth.

A second Phase I hearing will be held in or near the City of Owen Sound at which time a general presentation of the Proposed Plan as a whole will be made by the Niagara Escarpment Commission. At this hearing, only presentations on general issues concerning the Proposed Plan as a whole will be heard by the hearing officers.

Subsequent Phase II hearings will deal with issues in specific sectors (counties or regions) of the area covered by the Proposed Plan and will be held at several locations.

It is expected that these hearings will be held in or near the areas of Lion's Head (to receive representations on the area of Bruce County within the Proposed Plan), Rocklyn (Grey County), Duntroon (Simcoe County), Orangeville (Dufferin County), Caledon East (Regional Municipality of Peel), Georgetown (Regional Municipality of Halton), and St. Catharines (Regional Municipality of Niagara).

Notice of these times and places will be published in advance of such hearings and will be mailed to persons who have indicated their intention to make representations or submit questions concerning the Proposed Plan.

Any person may make representations concerning the Proposed Plan at this hearing. In order to assist all parties in scheduling their participation at the hearings, persons desiring to make representations or submit questions concerning the plan are encouraged to provide a written copy of their submission, or provide a brief statement of their interest in the Proposed Plan, indicating whether or not such person will be represented by legal counsel and whether such person wishes to call witnesses at the hearing.

If you wish further information, you are invited to contact the Administrator, Niagara Escarpment Proposed Plan Hearing, Box No 7, Macdonald Block, Queen's Park, Toronto, Ontario, M7A 1N3. Telephone: (416) 877-0153 Temporary Telephone: (416) 877-5195

If you are interested in participating in the hearing, please complete this form and mail to:

Administrator
Niagara Escarpment Proposed Plan Hearing
Box 7 Macdonald Block
Queen's Park
Toronto, Ontario M7A 1N3

NAME: ______________________________
(please print)

ADDRESS: ______________________________

____

HOME TELEPHONE NO. ____________ BUSINESS TELEPHONE NO. ____________

I am interested in participating at the hearing dealing with general issues only covering the whole area of the Proposed Plan to be held in (mark only one)................ ☐ Ancaster ☐ Owen Sound

I am interested in participating at the hearings dealing with issues relating to a specific area covered by the Proposed Plan at one of the sector hearings .... ☐ Yes ☐ No

State county, region and local municipality you are interested in ______________________________

Ontario

Niagara
Escarpment
Proposed Plan
Hearing

Dated at Toronto this
7th day of February, 1980.

W. T. Shrives
Hearing Officer

A. L. McCrae
Chief Hearing Officer

M. D. Henderson
Hearing Officer

(Image Size: 63% of Original)

Ontario
Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

"NOTICE OF HEARING" ADVERTISEMENTS

PUBLISHED IN NEWSPAPERS

A total of 120 advertisements of "Notice of Hearing" were published in 39 newspapers. Also included in the Appendix are sample copies of advertisements which appeared in the following newspapers:

Acton Free Press
Ancaster News Journal
Bolton Enterprise
Brampton Daily Times
Burlington Gazette
Burlington Post
Caledon Citizen
Collingwood Enterprise - Bulletin
Collingwood Times
Creemore Star
Dundalk Herald
Dundas and Ancaster Recorder
Dundas Star Journal
Fonthill Herald
Georgetown Herald
Georgetown Independent

Grimsby Independent

Guelph Daily Mercury

Hamilton Spectator

Kitchener-Waterloo Record

Lincoln Post Express

Markdale Standard

Meaford Express

Milton Canadian Champion

Niagara Falls Review

Niagara-on-the-Lake Advance

Orangeville Banner

Orangeville Citizen

Owen Sound Sun-Times

St. Catharines Standard

Shelburne Free Press and Economist

Staynor Sun

Thornbury Review Herald

Thornbury Valley Courier

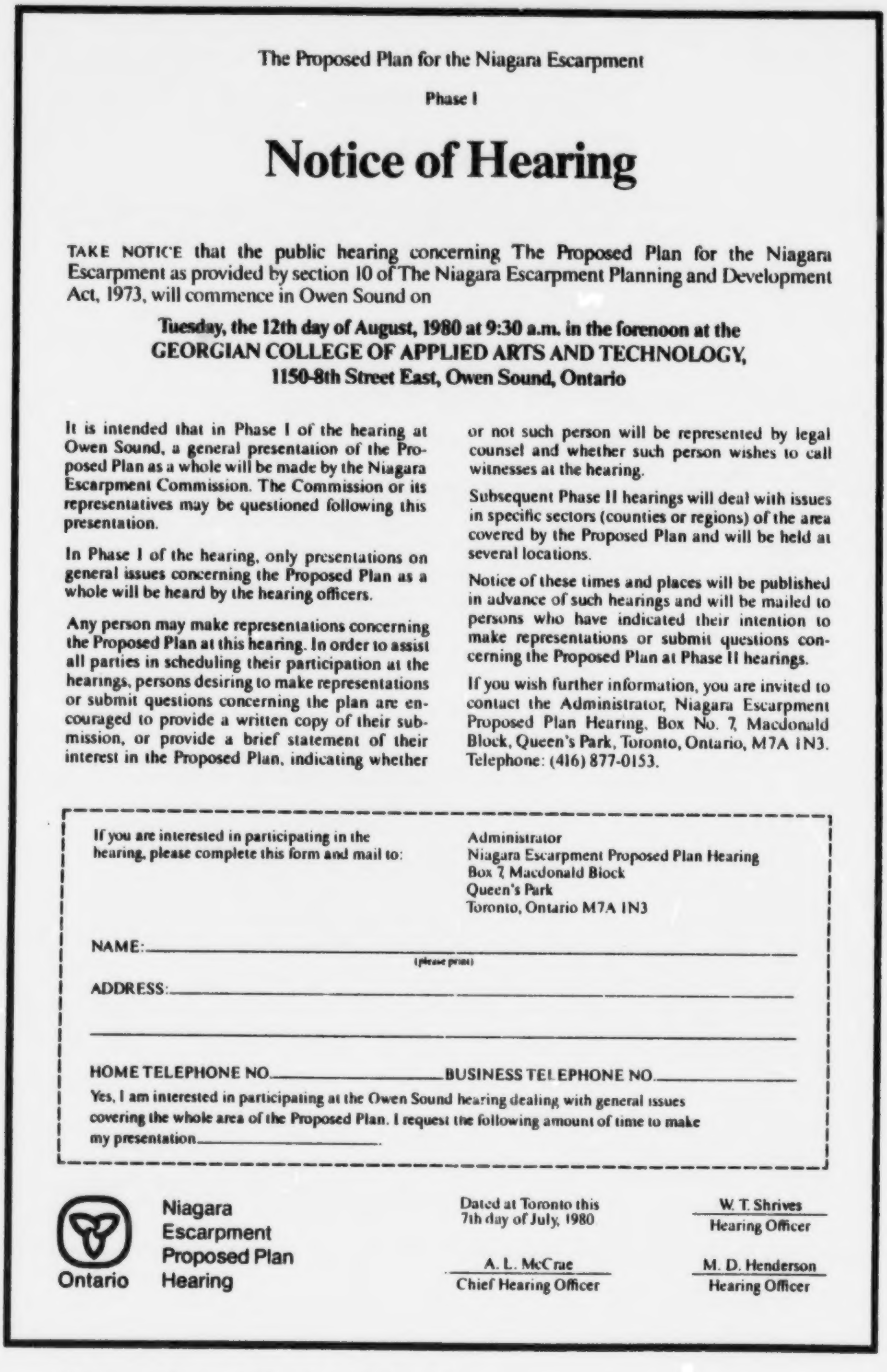
Thorold News

Toronto Globe and Mail

Toronto Star

Wiarton Echo

Wingham Advance Times



The Proposed Plan for the Niagara Escarpment

Phase I

Notice of Hearing

TAKE NOTICE that the public hearing concerning The Proposed Plan for the Niagara Escarpment as provided by section 10 of The Niagara Escarpment Planning and Development Act, 1973, will commence in Owen Sound on

Tuesday, the 12th day of August, 1980 at 9:30 a.m. in the forenoon at the
GEORGIAN COLLEGE OF APPLIED ARTS AND TECHNOLOGY,
1150-8th Street East, Owen Sound, Ontario

It is intended that in Phase I of the hearing at Owen Sound, a general presentation of the Proposed Plan as a whole will be made by the Niagara Escarpment Commission. The Commission or its representatives may be questioned following this presentation.

In Phase I of the hearing, only presentations on general issues concerning the Proposed Plan as a whole will be heard by the hearing officers.

Any person may make representations concerning the Proposed Plan at this hearing. In order to assist all parties in scheduling their participation at the hearings, persons desiring to make representations or submit questions concerning the plan are encouraged to provide a written copy of their submission, or provide a brief statement of their interest in the Proposed Plan, indicating whether or not such person will be represented by legal counsel and whether such person wishes to call witnesses at the hearing.

Subsequent Phase II hearings will deal with issues in specific sectors (counties or regions) of the area covered by the Proposed Plan and will be held at several locations.

Notice of these times and places will be published in advance of such hearings and will be mailed to persons who have indicated their intention to make representations or submit questions concerning the Proposed Plan at Phase II hearings.

If you wish further information, you are invited to contact the Administrator, Niagara Escarpment Proposed Plan Hearing, Box No. 7, Macdonald Block, Queen's Park, Toronto, Ontario, M7A 1N3. Telephone: (416) 877-0153.

If you are interested in participating in the hearing, please complete this form and mail to:

Administrator
Niagara Escarpment Proposed Plan Hearing
Box 7, Macdonald Block
Queen's Park
Toronto, Ontario M7A 1N3

NAME: ____
(please print)

ADDRESS: ____

____

HOME TELEPHONE NO. ______________ BUSINESS TELEPHONE NO. ______________

Yes, I am interested in participating at the Owen Sound hearing dealing with general issues covering the whole area of the Proposed Plan. I request the following amount of time to make my presentation ______________.

Ontario

Niagara
Escarpment
Proposed Plan
Hearing

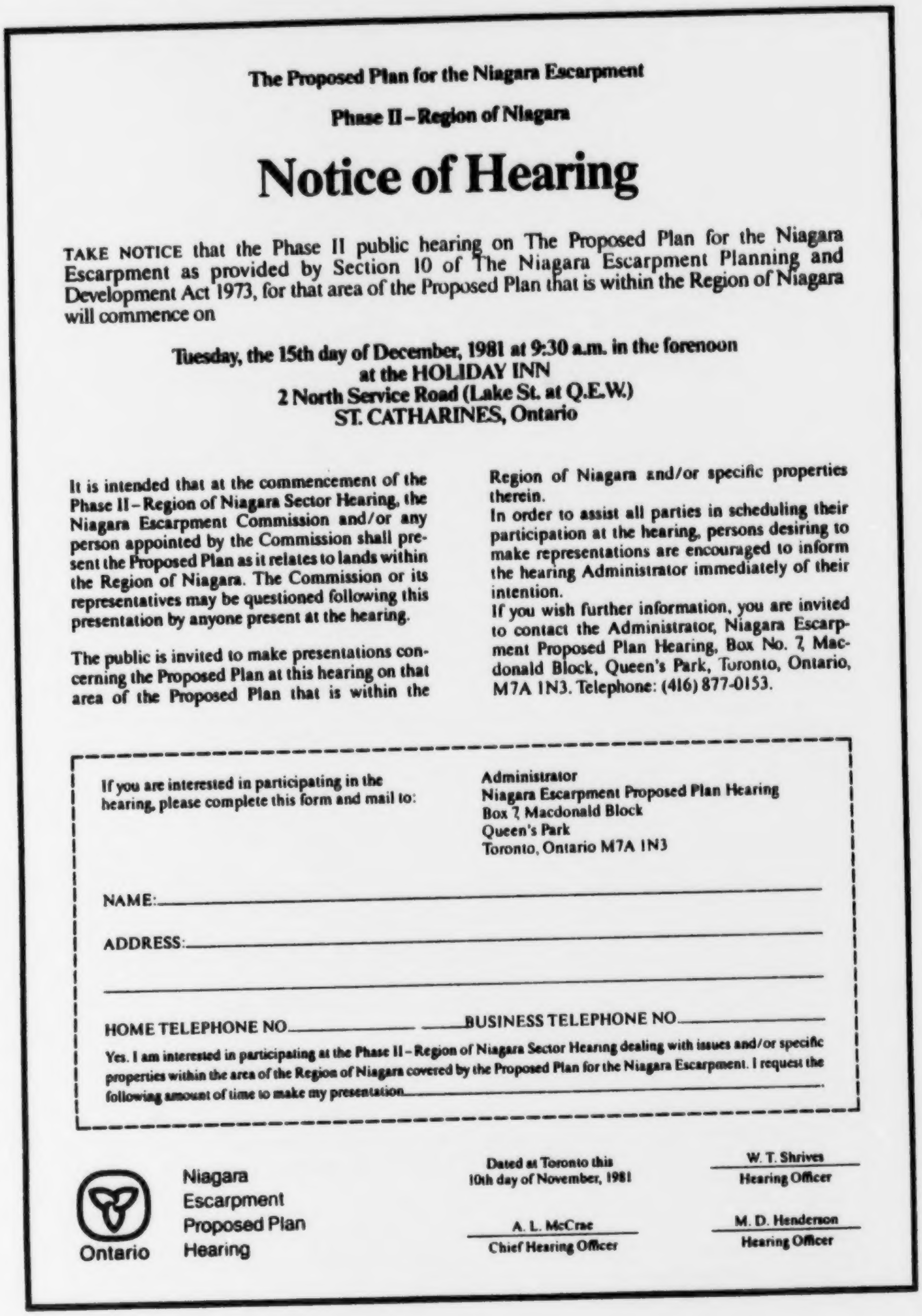
Dated at Toronto this
7th day of July, 1980

A. L. McCrae
Chief Hearing Officer

W. T. Shrives
Hearing Officer

M. D. Henderson
Hearing Officer

(Image Size: 76% of Original)



The Proposed Plan for the Niagara Escarpment

Phase II – Region of Niagara

Notice of Hearing

TAKE NOTICE that the Phase II public hearing on The Proposed Plan for the Niagara Escarpment as provided by Section 10 of The Niagara Escarpment Planning and Development Act 1973, for that area of the Proposed Plan that is within the Region of Niagara will commence on

Tuesday, the 15th day of December, 1981 at 9:30 a.m. in the forenoon
at the HOLIDAY INN
2 North Service Road (Lake St. at Q.E.W.)
ST. CATHARINES, Ontario

It is intended that at the commencement of the Phase II – Region of Niagara Sector Hearing, the Niagara Escarpment Commission and/or any person appointed by the Commission shall present the Proposed Plan as it relates to lands within the Region of Niagara. The Commission or its representatives may be questioned following this presentation by anyone present at the hearing.

The public is invited to make presentations concerning the Proposed Plan at this hearing on that area of the Proposed Plan that is within the Region of Niagara and/or specific properties therein.

In order to assist all parties in scheduling their participation at the hearing, persons desiring to make representations are encouraged to inform the hearing Administrator immediately of their intention.

If you wish further information, you are invited to contact the Administrator, Niagara Escarpment Proposed Plan Hearing, Box No. 7, Macdonald Block, Queen's Park, Toronto, Ontario, M7A 1N3. Telephone: (416) 877-0153.

If you are interested in participating in the hearing, please complete this form and mail to:

Administrator
Niagara Escarpment Proposed Plan Hearing
Box 7, Macdonald Block
Queen's Park
Toronto, Ontario M7A 1N3

NAME: ____________________

ADDRESS: ____________________

____

HOME TELEPHONE NO ____________ ____ BUSINESS TELEPHONE NO ____________

Yes. I am interested in participating at the Phase II – Region of Niagara Sector Hearing dealing with issues and/or specific properties within the area of the Region of Niagara covered by the Proposed Plan for the Niagara Escarpment. I request the following amount of time to make my presentation ____________________.

Ontario

Niagara
Escarpment
Proposed Plan
Hearing

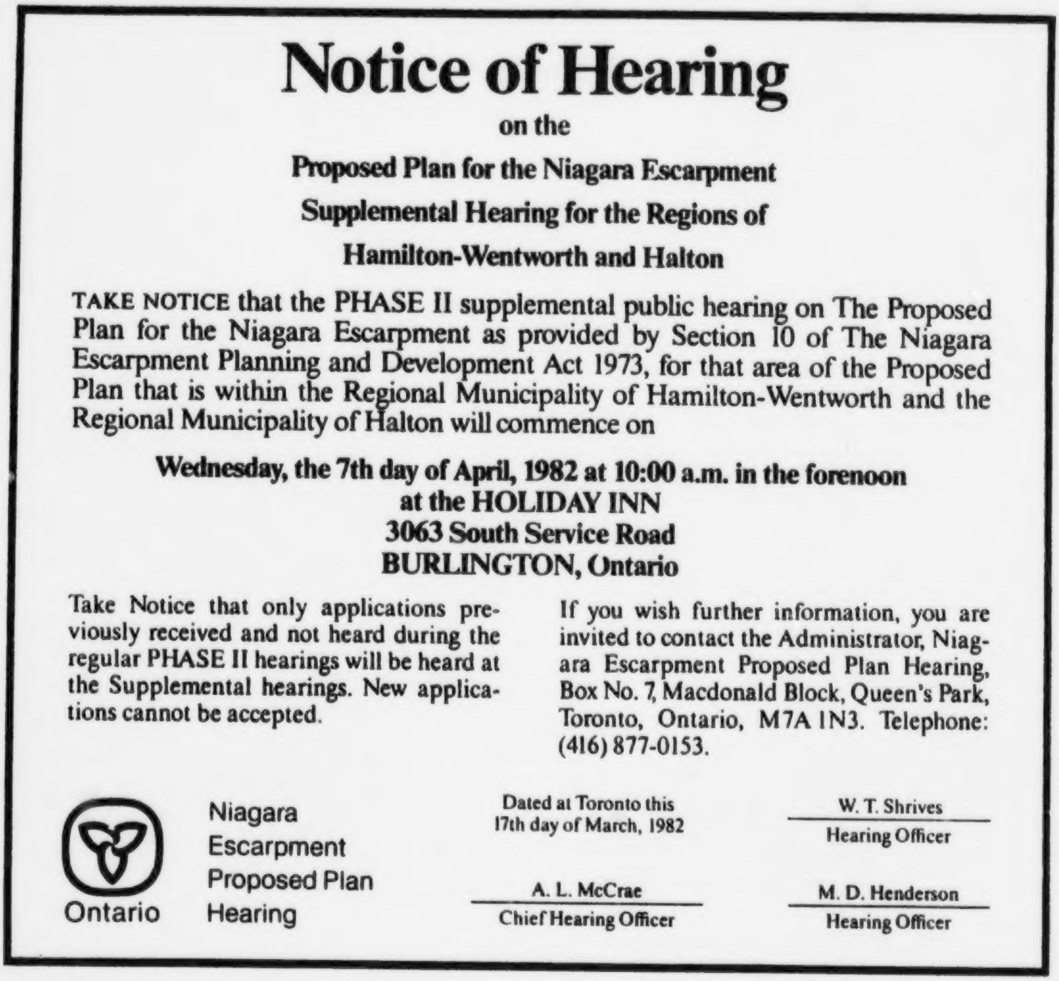
Dated at Toronto this
10th day of November, 1981

A. L. McCrae
Chief Hearing Officer

W. T. Shrives
Hearing Officer

M. D. Henderson
Hearing Officer

(Image Size: 76% of Original)



Notice of Hearing

on the

Proposed Plan for the Niagara Escarpment

Supplemental Hearing for the Regions of

Hamilton-Wentworth and Halton

TAKE NOTICE that the PHASE II supplemental public hearing on The Proposed Plan for the Niagara Escarpment as provided by Section 10 of The Niagara Escarpment Planning and Development Act 1973, for that area of the Proposed Plan that is within the Regional Municipality of Hamilton-Wentworth and the Regional Municipality of Halton will commence on

Wednesday, the 7th day of April, 1982 at 10:00 a.m. in the forenoon
at the HOLIDAY INN
3063 South Service Road
BURLINGTON, Ontario

Take Notice that only applications previously received and not heard during the regular PHASE II hearings will be heard at the Supplemental hearings. New applications cannot be accepted.

If you wish further information, you are invited to contact the Administrator, Niagara Escarpment Proposed Plan Hearing, Box No. 7, Macdonald Block, Queen's Park, Toronto, Ontario, M7A 1N3. Telephone: (416) 877-0153.

Ontario

Niagara
Escarpment
Proposed Plan
Hearing

Dated at Toronto this
17th day of March, 1982

W. T. Shrives
Hearing Officer

A. L. McCrae
Chief Hearing Officer

M. D. Henderson
Hearing Officer

(Image Size: 100% of Original)

APPENDIX (E)

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

RULES OF PROCEDURE

The following Rules of Procedure are established for the conduct of the hearing, pursuant to Section 10 (5) of The Niagara Escarpment Planning and Development Act, 1973.

1. Representations made concerning The Proposed Plan for the Niagara Escarpment at the hearing may be made orally or in writing and will not be made under oath or affirmation.

2. Representations and documents submitted to the hearing officers may be received at their discretion provided they are relevant to the subject matter of the hearing.

3. Representations may be made in person, but if persons wish to retain counsel or agents to represent them, they may do so.

4. The initial stage of the hearing will be held at Marritt Hall, Ancaster Fair Grounds, Highway 53 at Southcote Road, Ancaster, Ontario, and will involve the presentation of The Proposed Plan for the Niagara Escarpment by the Niagara Escarpment Commission or its representatives. Questions may then be asked of the Commission's representatives dealing with issues concerning The Proposed Plan for the Niagara Escarpment as a whole, and following this, representations dealing with The Proposed Plan as a whole will be received from any person desiring to do so.

5. Following the procedure to be carried out in Section 4 of these Rules of Procedure, and at the same location, representations dealing with the specific section of The Proposed Plan within the Regional Municipality of Hamilton-Wentworth will be received from any person desiring to do so.

6. There will also be a hearing in or near the City of Owen Sound at which time a presentation of The Proposed Plan for the Niagara Escarpment will be made by the Niagara Escarpment Commission or its representatives. Questions may then be asked of the Commission's representatives dealing with issues concerning The Proposed Plan for the Niagara Escarpment as a whole, and following this, representations dealing with The Proposed Plan as a whole will be received from any person desiring to do so.

7. Subsequent stages of the hearing will deal with issues in specific sections of the area covered by The Proposed Plan for the Niagara Escarpment and will be held at several locations in the planning area or in the general proximity thereof. Notice of dates, times and places will be published in advance. Notice will also be given to persons who have indicated their intention to make representations or submit questions concerning The Proposed Plan.

8. Members of the public or their representatives and representatives of the Niagara Escarpment Commission may question anyone appearing before the hearing officers on the whole or any part of the Plan.

9. The hearing officers may ask questions of any person appearing before them.

10. At appropriate times, those who presented The Proposed Plan may deliver a summary of their presentation at the discretion of the hearing officers.

11. Any two hearing officers appointed to this hearing may be considered a quorum for the purpose of hearing representations.

March 25, 1980

APPENDIX (F)

Ontario

Niagara
Escarpment
Commission

416/877-5191

232 Guelph Street
Georgetown, Ontario
L7G 4B1

NIAGARA ESCARPMENT COMMISSION PRESENTING PANEL

AGENCY	NOMINEE
Niagara Escarpment Commission	Ivor McMullin
	G.R.A. Coffin
	Cecil Louis
	Lee Gosselin
	Keith Jordan
	Marion Plaunt
	Douglas Armstrong
	George McKibbon
	Ken Whitbread
	Jamie Dougall
	Gerry Augusta
	Carolyn Jones
	David Cossette
	Emrik Suichies
Niagara Escarpment Commission Legal Counsel	Stephen Stepinac
	Grace Maitland-Carter
	David Hunter
	Maureen Simpson
	Robert Christie
	Ernest Boyden

Ministry of Natural Resources	Gordon Rogers
	Mahendra Narain
	Nancy Tilt
	Frederick Johnston
	Tom Beechey
	Robert Davidson
	Andrew Cherry
	Edward Borczon
	Peter Rumble
Ministry of the Environment	Ulo Sibul
Ministry of Culture and Recreation	John Weiler
	Peter Carruthers
Credit Valley Conservation Authority	John Cottrill
Regional Municipality of Halton	Paul Attack
Hamilton Region Conservation Authority	Ben Vanderbrug
Ministry of Government Services	D.E. O'Connor
	Richard S. Roberts
	R. Hughes
	Gordon Andrew

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

HEARING LOCATIONS

Marritt Hall, Ancaster Fair Grounds,
Highway 53 at Southcote Road,
ANCASTER, Ontario

Georgian College of Applied Arts and Technology,
1150 - 8th Street East,
OWEN SOUND, Ontario

Christian Education Hall,
St. Andrew's Presbyterian Church,
856 - 1st Avenue West,
OWEN SOUND, Ontario

Council Chambers,
City Hall,
808 - 2nd Avenue East,
OWEN SOUND, Ontario

Owen Sound Public Library,
1st Avenue West,
OWEN SOUND, Ontario

Holiday Inn,
3063 South Service Road,
BURLINGTON, Ontario

Council Chambers,
Municipal Building,
Town of Caledon,
CALEDON EAST, Ontario

Country Bar-B-Q,
Meeting Room,
25 Broadway Avenue East,
ORANGEVILLE, Ontario

Masonic Temple,
560 Claude Street,
WIARTON, Ontario

The Collingwood Highwayman Inn,
First and High Streets,
COLLINGWOOD, Ontario

Holiday Inn,
2 North Service Road,
ST. CATHARINES, Ontario

APPENDIX (H)

LIST OF EXHIBITS

APPENDIX (H)

LIST OF EXHIBITS

Niagara Escarpment Proposed Plan Hearing

Exhibit Number	Submission Number	Exhibit
1 - G 200 NEC		. Niagara Escarpment Planning Area . Planning Area and Amendments . Development Control Area and Amendments Ontario Regulations: 118/74 as amended 383/75 amended 118/74 451/75 as amended 453/75 as amended
2 - G 200 NEC		The Proposed Plan for the Niagara Escarpment, November, 1979 including 9 maps plus 4 reference maps
3 - G 200 NEC		The *Niagara Escarpment Planning and Development Act*, 1973 Statutes of Ontario, 1973 Chapter 52, as amended by: 1974, Chapter 52 1975, Chapter 68 and 1976, Chapter 35 (May, 1976)
4 - G 200 NEC		Rules of Procedure for the Niagara Escarpment Proposed Plan Hearing, March 25, 1980
5 - G 200 NEC		The *Niagara Escarpment Planning and Development Act*, S.O. 1973, C. 52 as amended: 1. Appointment of Armour L. McCrae as Chief Hearing Officer and Walter T. Shrives and M. Dean Henderson as hearing officers, dated January 17, 1980 2. Certification of motion made at the Commission meeting (M203/1-80) on Thursday,

Exhibit Number	Submission Number	Exhibit
5 - continued		January 17, 1980 re appointment of hearing officers
6 - G 200 NEC		1. Supplement to the Niagara Escarpment Commission's Presenting Panel - Staff of Ministry of Natural Resources 2. Supplement to Niagara Escarpment Commission's Presenting Panel: Niagara Escarpment Commission Niagara Escarpment Commission's Legal Counsel Ministry of Natural Resources Ministry of the Environment Credit Valley Conservation Authority Regional Municipality of Halton Regional Municipality of Hamilton-Wentworth (Hamilton Region Conservation Authority) Ministry of Government Services Niagara Escarpment Commission's Consultant (E. Suichies)
7 - G 200 NEC		Niagara Escarpment Proposed Plan Phase I Hearing Ancaster Presentation 4. Text Errors
8 - G 200 NEC		Development Planning in Ontario: The Niagara Escarpment Ministry of Treasury, Economics and Intergovernmental Affairs, June 1973
9 - G 200 NEC		1. An Introduction to: The Niagara Escarpment Regional and County Advisory Committee and The Niagara Escarpment Interest Groups Advisory Committee 2. Advisory Committee Members Interest Groups Advisory Committee
10 - G 200 NEC		Preliminary Proposals, December 1977 Niagara Escarpment Commission (2 copies)
11 - G 200 NEC		Niagara Escarpment Commission News, Winter 1978

Exhibit Number	Submission Number	Exhibit
12 - G 200 NEC		Niagara Escarpment Commission News Releases 1. November 22, 1979 - Niagara Escarpment Commission Unveils Escarpment Plan 2. November 22, 1979 - Niagara Escarpment Commission Announces Information Workshops 3. November 22, 1979 - Parks System Proposed for Escarpment 4. November 22, 1979 - Modifications to Development Control Proposed by Niagara Escarpment Commission 5. November 22, 1979 - Niagara Escarpment Commission Supports Use of Food Land Guidelines by Municipalities 6. November 22, 1979 - Niagara Escarpment Commission Proposes Limits to Escarpment Aggregate Extraction
13 - G 200 NEC		Cuesta, Niagara Escarpment Commission's Publication 1. June, 1974 - Volume 1, No.1 2. Spring, 1977 3. Spring, 1979 4. Spring, 1980 (including map "Ontario's Niagara Escarpment")
14 - G 200 NEC		Niagara Escarpment Commission's Publications 1. Geology the Niagara Escarpment, Spring, 1979 2. Insight: Development Control, Spring 1979 3. Goal and Objectives Development Control The Provincial Plan, Spring 1979
15 - G 200 NEC		1. Significant Natural Areas Along The Niagara Escarpment, 1976 (Park Planning Branch, Division of Parks, Ontario, Ministry of Natural Resources) 2. Earth Science Candidate Nature Reserves In The Niagara Escarpment Planning Area (Ontario Ministry of

Exhibit Number	Submission Number	Exhibit
15 - continued		Natural Resources, Division of Parks Systems Planning Section, Park Planning Branch)
		3. Fisheries Resources of the Niagara Escarpment Planning Area (Ministry of Natural Resources)
		4. Provincial Parks in the Niagara Escarpment Planning Area: A Future Perspective (Ministry of Natural Resources)
		5. Conservation Authorities in the Niagara Escarpment Planning Area (Ministry of Natural Resources)
		6. Ministry of Natural Resources in the Niagara Escarpment Planning Area: A Summary Report (Ministry of Natural Resources)
		7. The Land Acquisition Program of the Ministry of Natural Resources and Conservation Authorities in the Niagara Escarpment Planning Area, February 1977 (Ministry of Natural Resources)
		8. Hazard Lands in the Niagara Escarpment Planning Area (Ministry of Natural Resources)
		9. Forestry in the Niagara Escarpment Planning Area (Ministry of Natural Resources)
		10. Wildlife in the Niagara Escarpment Planning Area (Ministry of Natural Resources)
		11. Industrial Mineral Resources Inventory of the Niagara Escarpment Planning Area (Ministry of Natural Resources)
16 - G 200 NEC		Economic Analysis of Provincial Land Use Policies in Ontario (M.W. Frankena, D.T. Scheffman - Ontario Economic Council)
17 - G 200 NEC		An Archaeological Transect Through Ontario, 1976 (Ministry of Culture and Recreation)

Exhibit Number	Submission Number	Exhibit
18 - G 200 NEC		Volume 1 - The Niagara Escarpment Heritage Resource Study, October, 1978 (Ministry of Culture and Recreation)
19 - G 200 NEC		Volume 2 - The Niagara Escarpment Heritage Resource Study, October, 1978 (Ministry of Culture and Recreation)
20 - G 200 NEC		1. The Regional Municipality of Halton - Halton Environmentally Sensitive Areas Study 2. The Regional Plan, Regional Municipality of Halton adopted, September 6, 1978 - certified copy
21 - G 200 NEC		Environmentally Sensitive Area Study Regional Municipality of Halton Ecological and Environmental Advisory Committee, September 1978
22 - G 200 NEC		Credit River Watershed, Environmentally Significant Areas June, 1979. Prepared by Ecologists Limited for the Credit Valley Conservation Authority
23 - G 200 NEC		Hamilton-Wentworth Regional Environmentally Sensitive Areas Study, July 1976. Prepared by Ecologists Limited
24 - G 200 NEC		The Niagara Escarpment Plan Background Studies: Geology and Geomorphology, July 1975 (Niagara Escarpment Commission)
25 - G 200 NEC		Land Use/Land Fragmentation Study, December, 1978 (Niagara Escarpment Commission: J. Besz, G. Augusta and C. Jones)
26 - G 200 NEC		Landscape Evaluation Study Niagara Escarpment Planning Area, April 1976 (Southwestern Region and Land Use Co-ordination Branch of the Ministry of Natural Resources and

Exhibit Number	Submission Number	Exhibit
26 - continued		the Niagara Escarpment Commission).
27 - G 200 NEC		Escarpment Acquisition Report, October 1979 a) Map 1 - Regional Municipality of Niagara b) Map 2 - Regional Municipality of Hamilton-Wentworth c) Map 3 - Regional Municipality of Halton d) Map 4 - County of Dufferin and Regional Municipality of Peel e) Map 5 - County of Simcoe and County of Dufferin f) Map 6 - County of Grey (West) g) Map 7 - County of Grey (East) h) Map 8 - County of Bruce (South) i) Map 9 - County of Bruce (North)
28 - G 200 NEC		Qualifications Emrik H. Suichies
29 - G 200 NEC		Curricula Vitae of the Niagara Escarpment Commission's Presenting Panel: a) Cecil Louis b) Lee Gosselin c) Marion Plaunt d) Douglas Armstrong e) George McKibbon f) Kenneth Whitbread g) James E. Dougall h) Gerald R. Augusta i) Carolyn M. Jones j) Keith C. Jordan
30 - G 200 NEC		Niagara Escarpment Proposed Plan Phase I Hearing Presentation - Ancaster 1. Chairman's Opening Remarks 2. Niagara Escarpment Commission's Presenting Panel 3. Niagara Escarpment Proposed Plan Phase I Hearing Presentation - Ancaster 4. Text Errors 4. Niagara Escarpment Proposed Plan

Exhibit Number	Submission Number	Exhibit
30 - continued		Hearing Presentation - Ancaster Historical Background
		5. Niagara Escarpment Proposed Plan Hearing Presentation - Ancaster and Owen Sound
		6. Niagara Escarpment Commission's Public Information Program
		6. 7. Preparation of the Proposed Plan
		7. Ministry of Natural Resources (A Summary of Technical Reports) Introductory Comments on Technical Reports prepared for the Niagara Escarpment Planning Area, April 11, 1980
		8. Ministry of Culture and Recreation Presentation on Cultural Heritage of the Niagara Escarpment
		9. Ministry of the Environment Groundwater Resources in the Niagara Escarpment Planning Area, March 31, 1980
		10. Regional Municipality of Halton Halton Environmentally Sensitive Areas Study, March 31, 1980 (Paul Attack)
		11. Credit Valley Conservation Authority Environmentally Significant Area Study, April 1980 (File No. P.40.10)
		12. Background Information on the Environmentally Sensitive Areas Study for the Regional Municipality of Hamilton-Wentworth
		13. 10.1 Geology and Geomorphology of the Niagara Escarpment Area
		14. 10.2 Land Fragmentation - Land Use
		15. 10.3 Official Plans, March 1980
		16. 10.4 Landscape Evaluation Study
		17. 10.5 Environmental Analysis
		18. 11. Designation Criteria and Policies
		19. 12. Designation Criteria and Policies
		20. 13. Mineral Resource Areas

Exhibit Number	Submission Number	Exhibit
30 - continued		21. Mineral Resource Areas - paragraph to be included in the Niagara Escarpment Commission's presentation on Mineral Resource Areas 22. 14. Proposed Niagara Escarpment Parks System 23. 16. Administration and Implementation of the Niagara Escarpment Plan 24. Niagara Escarpment Commission - General Recommendations 25. 17. Precedents for Environmental Planning 26. The Proposed Plan for the Niagara Escarpment Some Economic Development Considerations, March 1980 (Emrik H. Suichies, M.C.I.P.) 27. Socio-Economic Issues in Preparation of the Proposed Plan
31 - G 200 NEC		Qualifications a) G.K. Rodgers, Ministry of Natural Resources (Central Region) b) T.J. Beechey, Ministry of Natural Resources (Parks Branch)
32 - G 200 NEC		Qualifications a) R.J. Davidson, Ministry of Natural Resources (Parks Branch) b) N. Tilt, Ministry of Natural Resources (Cambridge District)
33 - G 200 NEC		Qualifications a) M. Narain, Ministry of Natural Resources (Central Region) b) R.N. Staley, Ministry of Natural Resources (Central Region)
34 - G 200 NEC		Notice of Motion re hearing officers considering questions and submissions relating to the boundaries of the Niagara Escarpment Proposed Plan by Joseph Curtin, Hearing Agent for the Coalition on the Niagara Escarpment
35 - G 200 NEC		Reid, Ronald A. - affidavit dated

Exhibit Number	Submission Number	Exhibit
35 - continued		April 22, 1980 In the Matter of Section 10 of the *Niagara Escarpment Planning and Development Act*, 1973
36 - G 200-81 -58	1	Curriculum Vitae - Dr. M.J. Risk
37 - G 200-81 -58	1	Mount Hope, Ontario Map (30M/4e - Edition 3), 1973
38 - G 200-81 -58	1	Dr. M.J. Risk - submission dated May 1, 1980
39 - G 200-81 -58	1	a) Qualifications - Donald May, M.C.I.P. b) Donald May & Associates Ltd., Ancaster - submission dated May 1, 1980, K. Martin and R. Banting
40 - G 200-1	12	Federation of Ontario Naturalists 1979 Annual Report and Program for 1980
41 - G 200-1	12	Federation of Ontario Naturalists Submission to the Niagara Escarpment Commission regarding the Preliminary Proposals - September 1, 1978
42 - G 200-1	12	Federation of Ontario Naturalists Submission to the Niagara Escarpment Interest Groups Advisory Committee - May 29, 1979
43 - G 200-7	21	1. Grey-Bruce Map (Blue Water Country), 1976 2. Grey-Bruce Map, 1961
44 - G 200-7	21	Bruce Trail Association Submission - May, 1978
45 - G 200-7	21	Bruce Trail Association A Handbook for Group Hiking on the Bruce Trail, June 1980
46 - G 200-7	21	Bruce Trail Guide Book, 11th Edition, 1978

Exhibit Number	Submission Number	Exhibit
47 - G 200-38	31	Town of Lincoln Certified Copy of Planning Committee Minutes adopted January 14, 1980
48 - G 200-38	31	Town of Lincoln Certified Copy of Planning Committee Minutes adopted April 2, 1980
49 - G 200-38	31	Town of Lincoln Official Plan Certified Copy of the Offical Plan adopted by Council of the Corporation of the Town of Lincoln, December 6, 1973 - approved by the Ministry of Housing with modifications April 24, 1978
50 - G 200-5	34	Niagara Escarpment Acquisition Proposal Acquisition proposed by Niagara Escarpment Commission: . Ministry of Natural Resources . Conservation Areas . Ministry of Natural Resources holdings . Existing Conservation Areas
51 - G 200-35	55	City of Burlington's requested changes re severence policy Section 2.9.3 - 5 Lot Creation Section 2.10.1 of Part 2
52 - 200 NEC		Niagara Escarpment Proposed Plan Phase II Hearing Presentation Regional Municipality of Hamilton-Wentworth (Ancaster) Errata - Niagara Escarpment Proposed Plan Map 2 - Regional Municipality of Hamilton-Wentworth
53 - 200 NEC		Cross-section Dundas Valley (1:12,500) Proposed Plan Designations Overburden-Bedrock
54 - 200 NEC		Cross-section Vinemount Area (1:12,500) Proposed Plan Designations Overburden-Bedrock

Exhibit Number	Submission Number	Exhibit
55 - 200 NEC		Niagara Escarpment Commission - Map 2 Regional Municipality of Hamilton-Wentworth
56 - 200-13	75	Map - Town of Stoney Creek Legend: Stoney Creek Official Plan . Conservation Lands and Open Space Niagara Escarpment Commission . Escarpment Natural Areas
57 - 200-9	76	Map - Part of Official Plan Amendments 276 & 346 City of Hamilton Part of East Mountain Industrial Area . Restricted Industrial . Open Space . Business
58 - 200-2	77	Map - Niagara Escarpment Commission Proposed Plan Map 2 (Hamilton-Wentworth) Appendix A - Land Use Designations and Parks Classifications . Conservation Areas . Private Lands
59 - 200-2	77	Map - Niagara Escarpment Commission Proposed Plan Map 2 (Hamilton-Wentworth) Appendix B - Conservation Areas Boundary Corrections
60 - 200-5	78	Map - Niagara Escarpment Commission Proposed Plan Map 2 Re alteration of boundaries
61 - 200-19	79	Niagara Escarpment Commission's Proposed Plan - Map 2 - indicating area of Dundas Valley
62 - 200-19	79	Dundas Valley - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)

Exhibit Number	Submission Number	Exhibit
63 - 200-19	79	Site Character - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)
64 - 200-19	79	Site Context - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)
65 - 200-19	79	Alternative 1 - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)
66 - 200-19	79	Alternative 2 - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)
67 - 200-19	79	Revised Site Context - Part Lots 1 and 2, Concession 1, Township of Flamborough (April, 1980)
68 - 200-28	82	Niagara Escarpment Commission's Proposed Plan Schedule B Draft Official Plan for the Town of Ancaster
69 - 200-28	82	Blow-up of Draft Official Plan for the Town of Ancaster showing corrections in green hatching
70 - 200-8	83	Notice of Decision dated June 5, 1980 from M.O.H. to Donald J. May re H.O. File H. 79-161 including two maps of the Town of Ancaster (May 1979) to amend Schedule "B" of the O.P. of the Hamilton-Wentworth Planning Area
71 - 200-8	83	Survey of Property, dated August 23, 1979 Plan 62R-4989 (Steiner property)
72 - 200-8	83	Planning Composite of General Area from Tiffany Falls - Highway No. 2
73 - 200-16	84	Draft Plan of Subdivision of all Fenwood Developments Limited lands (57 acres) in Ancaster

Exhibit Number	Submission Number	Exhibit
74 - 200-16	84	Clerk's Certificate - Amendment No. 9 to the Official Plan of the Hamilton-Wentworth Planning Area (covering the Township of Ancaster) prepared 1961
75 - 200-29	85	Sketch Plan of Wright Property, Ancaster, Ontario
76 - 200-17	88	Proposed Plan of Subdivision
77 - 200-22	92	Sketch showing golf course and adjacent lands
78 - 200-22	92	Qualifications and Experience of the Appraiser, Terrance J. Shea
79 - 200-22	92	Aerial Photo re: Glendale Golf Club Limited
80 - 200-21	94	Two resolutions of Flamborough Township regarding presentation re: Niagara Escarpment Proposed Plan Hearing
81 - 200-3	96	Suggested route for horsemen around the urban areas of Hamilton in the Hamilton-Wentworth Region
82 - 200-27	98	Map showing Frank J. Martin's property and surrounding properties
83 - 200-27	98	Letter: Ministry of Agriculture & Food dated July 8, 1977
84 - 200-27	98	Map ofpollution samples taken by Ministry of Environment
85 - 200-27	98	Report on Water Pollution survey, eastern part of Town of Stoney Creek and map and covering letter from Ministry of the Environment
86 - 200-28	82	Town of Ancaster's draft official plan and Niagara Escarpment Proposed Plan
87 - 200-28	82	Schedule "B" - map - part of proposed agreement with Ministry of Natural

Exhibit Number	Submission Number	Exhibit
87 - continued		Resources
88 - 200 NEC		54 affidavits of service on property owners of lands proposed for land use designation change
89 - G 700 NEC		IGM24/29-5-79 Minutes Interest Groups Advisory Committee May 29, 1979 - Skyline Hotel, Toronto
90 - G 700-14	216	Brief of Niagara Escarpment Commission Working Papers and Memoranda re Mineral Aggregate Policy
91 - G 700 NEC		Features and Conditions Survey prepared by the Niagara Escarpment Commission dated April, 1975
92 - G 700 NEC		Date provided to C. Leuty by Niagara Escarpment Commission - Agricultural Acreages by County and Region (not dated)
93 - G 700 NEC		Aerial photography 1:50,000 maps 1-9 corresponding with nine maps, each part of the Proposed Plan 1. Regional Municipality of Niagara 2. Regional Municipality of Hamilton-Wentworth 3. Regional Municipality of Halton 4. Regional Municipality of Peel and County of Dufferin (Township of Mono) 5. County of Dufferin (Township of Mulmur) and County of Simcoe 6. County of Grey (East) 7. County of Grey (West) 8. County of Bruce (South) 9. County of Bruce (North)
94 - G 700 NEC		1. Draft Paper dated June 6, 1979 - Natural Areas (A Areas) 2. Draft Paper dated June 6, 1979 - Escarpment Protection Areas (B Areas) 3. Draft Paper dated June 6, 1979 - Buffer Areas (C Areas)

Exhibit Number	Submission Number	Exhibit
94 - continued		4. Draft Paper dated June 6, 1979 - Open Landscape (D Areas) (as amended by the Niagara Escarpment Commission to and including June 1, 1979)
95 - G 700 NEC		Addendum dated July 3, 1980 Re: Interpretation of New Lots Policy of Proposed Plan Presented by M. Plaunt at M217/8-80 Niagara Escarpment Commission Meeting
96 - G 700 NEC		Report and covering letter dated August 31, 1978 from J.K. Reynolds, Deputy Minister, Ministry of Natural Resources re recommendations and comments for consideration in the preparation of the draft plan for the Niagara Escarpment Planning Area
97 - G 700 NEC		1. Mineral Aggregate Policy for Official Plans approved by Dr. J.K. Reynolds, Deputy Minister, Ministry of Natural Resources, dated April 12, 1980 2. Criteria used in selection of high priority mineral resource protection areas (no date) 3. Tables: 1, 2 and 3 High Priority Mineral Resource Protection Areas - November, 1979 4. Production (in tons) from Wayside Permits - November, 1979 5. Projected Mineral Aggregate Outputs - November, 1979 6. Location of Quarries in Proposed Niagara Escarpment Planning Area November, 1979 7. Location of Pits in Proposed Niagara Escarpment Planning Area November, 1979 8. Proposed Niagara Escarpment Planning Area November, 1979 4. Maps: (a) County of Grey (East) - Schedule A (b) County of Grey (West) - Schedule A

Exhibit Number	Submission Number	Exhibit
98 - G 700 NEC		Proposed Niagara Escarpment Planning Area recommended High Priority Mineral Resource Protection Areas (Scale 1:50,000) March, 1980 Ministry of Natural Resources 1. Regional Municipality of Niagara 2. Regional Municipality of Hamilton-Wentworth 3. Regional Municipality of Halton 4. Regional Municipality of Peel & County of Dufferin (Mono Township) 5. County of Dufferin (Mulmur Township) and County of Simcoe 6. County of Grey (East) 7. County of Grey (West) 8. County of Bruce (South) 9. County of Bruce (North)
99 - G 700 NEC		Status of Ministry of Natural Resource's Candidate Nature Reserve (Life Science) in the Niagara Escarpment Commission's Proposed Plan (August 2, 1980) - 2 copies
100 - G 700 NEC		Overlays: Niagara Escarpment Commission's Proposed Plan High Priority Mineral Resource Protection Areas - 1980 Industrial Mineral Resources - 1976 1. Regional Municipality of Niagara 2. Regional Municipality of Hamilton-Wentworth 3. Regional Municipality of Halton 4. Regional Municipality of Peel & County of Dufferin (Mono Township) 5. County of Dufferin (Mulmur Township) & County of Simcoe 6. County of Grey (East) 7. County of Grey (West) 8. County of Bruce (South) 9. County of Bruce (North)
101 - G 700 NEC		M 217/8-80 Niagara Escarpment Commission Meeting Certified extract of Minutes -

Exhibit Number	Submission Number	Exhibits
101 - continued		September 4, 1980 - Agenda Item 5 - Proposed Plan - Consent Policies
102 - G 700-14		A Policy for Mineral Aggregate Resource Management in Ontario, dated December, 1976 prepared by the Ontario Mineral Aggregate Working Party
103 - G 700-97	117	A Strategy Plan for the Niagara Escarpment - Within the Corporation of the County of Grey, August 1978 prepared by the Grey County Planning Department
104 - G 700-35	146	Motion by Township of Albemarle Council dated February 4, 1980 (endorses the appeals of property owners within the municipality to have Niagara Escarpment Commission imposed land use designations removed from their properties)
105 - G 700-130	154	Niagara Escarpment Acquisition Proposal as submitted by the Conservation Authorities of Ontario (Chairmans' Committee) indicating: Ministry of Natural Resources, Conservation Areas, Ministry of Natural Resources Holdings, Existing Conservation Areas
106 - G 700-19	161	Curriculum Vitae: Dr. Paul F. J. Eagles
107 - G 700-14		Copy of Telex dated October 3, 1980 sent to the Hon. James Auld, Minister, Ministry of Natural Resources by Blake, Cassels & Graydon, solicitors for the Aggregate Producers Association of Ontario, Standard Industries Ltd. and T.C.G. Materials Limited
108 - G 700-112	163	Curriculum Vitae: Leonard O. Gertler
109 - G 700-49	171	Economic Impact of the South

Exhibit Number	Submission Number	Exhibit
109 - continued		Georgian Bay Ski Resort Industry by J. Bruce Morgan, University of Waterloo (1980)
110 - G 700-49	171	Craigleith-Camperdown Area Secondary Plan Craigleith Village Core Area Concept Plan August, 1979 Prepared by: Knox Martin Kretch Ltd. Bramalea, Ontario
111 - G 700-134	176	Curriculum Vitae: Ian L. McHarg
112 - G 700-126	177	Report No. 1 to Simcoe County Council from the Planning Committee dated March 25, 1980
113 - G 700-126	177	Minister's Order (Department of Municipal Affairs) Made Under *The Planning Act*, re: Zoning Order - County of Simcoe, Township of Nottawasaga dated at Toronto on February 20, 1970
114 - G 700-126	177	Official Plan of the Nottawasaga Planning Area dated September 1972
115 - G 700-126	177	Population Chart for the Township of Nottawasaga from 1966 to 1980 (not dated)
116 - G 700-4	179	Niagara Escarpment Commission letter dated April 6, 1976 re development control application 174/N/R/75/249 - George H. Culp, Township of Lincoln
117 - G 700-4	179	Report of the Hearing Officers Parkway Belt West February, 1977
118 - G 700-40	188	Study for Ontario Real Estate Association "Losing Ground" - The Erosion of Property Rights in Ontario, 1979
119 - G 700-25	206	Charts: 1. Present Planning Process 2. Niagara Escarpment Planning

Exhibit Number	Submission Number	Exhibit
119 - continued		Process 3. Alternate Planning Process for Independent Planning Areas Affected by Niagara Escarpment Proposed Plan
120 - G 700 NEC	214	Comparison of Ministry of Natural Resources High Priority Mineral Aggregate Resources, March 1980, with: Ministry of Natural Resources/ Conservation Authority owned lands - up-dated to November 22, 1979 Ministry of Natural Resources Life Science Candidate Nature Reserves 1976 Ministry of Natural Resources Earth Science Candidate Nature Reserves 1976 Selected Ministry of Natural Resources High Priority Crushed Stone/Sand and Gravel Resources 1976 Includes: Map 2 - Regional Municipality of Hamilton-Wentworth Map 3 - Regional Municipality of Halton Map 4 - Regional Municipality of Peel, County of Dufferin (Mono Township) Map 5/6 - Combined County Dufferin (Mulmur Township)/County of Simcoe (Nottawasaga Township), Grey County (West) Map 7 - Grey County (East) Map 8 - Bruce County (South)
121 - G 700 NEC	214	Ontario Provincial Parks Planning and Management Policies June 1978
122 - G 700-17	214	Curriculum Vitae: Frederick M. Johnson
123 - G 700-143	215	Ministry of Natural Resources 1980 - Ontario Geological Survey (Aggregate Resources Inventory) Erin Township - Wellington County

Exhibit Number	Submission Number	Exhibit
123 - continued		Selected Sand and Gravel Resource Areas: Scale 1:50,000
124 - G 700-14	216	Curriculum Vitae: Gary M. Stamm
125 - G 700-14	216	Curriculum Vitae: Jerome M. Hagarty
126 - G 700-14	216	Curriculum Vitae: Frederick Franklin Gilbert
127 - G 700-14	216	Ontario Department of Mines and Northern Affairs The Niagara Escarpment by D.F. Hewitt Industrial Mineral Report No. 35 1971
128 - G 700-14	216	Curriculum Vitae: Ian F. MacNaughton
129 - G 700-14	216	Letter from James A.C. Auld, Minister, Ministry of Natural Resources, dated September 11, 1979 with attachment: Ministry of Natural Resources (Ministry Resource Group) Mineral Aggregate Policy for Official Plans dated April 12, 1979 and approved by Dr. J. K. Reynolds, Deputy Minister
130 - G 700 NEC		Appraisal Report Land Evaluation Study, Niagara Escarpment Planning Area, Township of Keppel, County of Grey Prepared for: Realty Services Branch Ministry of Government Services Prepared by: Richard S. Roberts, Bowes and Cocks Ltd., Peterborough
131 - G 700 NEC		Niagara Escarpment Commission Development Permit Application G/C/80/186 - October 23, 1980 Source: Blue Mountain Resorts Ltd. and Jozo Weider Ltd. The Niagara Escarpment Commission Development Permit - No. 1200/G/C/80/186 -

Exhibit Number	Submission Number	Exhibit
131 - continued		December 2, 1980
132 - G 700 NEC		Niagara Escarpment Commission Development Permit Application H/T/80/47 - May 29, 1980 Source: Regional Municipality of Halton The Niagara Escarpment Commission Development Permit - No. 1387/H/T/80/47- July 31, 1980
133 - G 700 NEC		Niagara Escarpment Commission Development Permit Application W/F/78/20 - April 4, 1978 Source: Water-Gate Investments Ltd. Report of Niagara Escarpment Development Control Hearing Officer Ross C. Melhuish, May 30, 1978. Notice of Decision, July 7, 1978, Claude F. Bennett, Minister, Ministry of Housing
134 - G 700 NEC		Niagara Escarpment Commission Development Permit Application H/L/77/6 - March 21, 1977 Source: Burlington Nelson Lions Club The Niagara Escarpment Commission Development Permit - No. 599/H/L/77/6 - November 25, 1977
135 - G 700 NEC		Niagara Escarpment Commission Development Permit Application G/F/80/127 - August 15, 1980 Source: Sauble Valley Conservation Authority The Niagara Escarpment Commission Development Permit - No. 1154/G/F/80/127 - September 16, 1980
136 - G 700 NEC		Niagara Escarpment Commission Development Permit Application W/E/77/56 - February 28, 1978 Source: Steetly Industries Ltd. The Niagara Escarpment Commission Development Permit - No. 819/W/E/77/56 - May 2, 1979
137 - G 700 NEC		Niagara Escarpment Commission

Exhibit Number	Submission Number	Exhibit
137 - continued		Development Permit Application G/F/80/36 - May 1, 1980 Source: Sauble Valley Conservation Authority The Niagara Escarpment Commission Development Permit - No. 1111/G/F/80/36 - July 11, 1980
138 - G 700 NEC		Niagara Escarpment Commission Development Permit Application S/L/78/284 - December 29, 1978 Source: Sinclair Investments Inc.
139 - G 700 NEC		Curriculum Vitae: Philip George Rimmington
140 - G 700 NEC		Paper dealing with mineral aggregate, prepared by Dr. Emrik Suichies, presented January 6, 1981
141 - G 700 NEC		Curriculum Vitae: Dr. Peter Gerald Telford
142 - G 700 NEC		Series of 4 maps: Numbers 3, 4, 5 and 6 from the Niagara Escarpment Commission's Proposed Plan with additional markings indicating the edge and base of the escarpment including a legend
143 - G 700 NEC		Analysis of the Impact of the Niagara Escarpment Land Use Controls on Real Estate Values in Mono Township, County of Dufferin, Province of Ontario - Prepared by Robert W. Hughes and Associates Inc.
144 - 400 NEC		Niagara Escarpment Commission's Proposed Plan Map 4: County of Dufferin and the Regional Municipality of Peel Additional markings on map indicating Dr. D. F. Hewitt's location of the Niagara Escarpment

Exhibit Number	Submission Number	Exhibit
145 - 400 NEC		Caledon Mountain: Topographical map and cross-section indicating Proposed Plan designations and overburden bedrock
146 - 400 NEC		Caledon Hills: Topographical map and cross-section indicating Proposed Plan designations and overburden bedrock
147 - 400 NEC		Key Map: Niagara Escarpment Commission Proposed Plan Map 4: County of Dufferin and Regional Municipality of Peel (Key for Exhibit 145 and Exhibit 146)
148 - 400-22	229	Niagara Escarpment Commission Proposed Plan, part of base Map 4: the Regional Municipality of Peel - now illustrating three areas recommended by the Region of Peel for deletion from the Proposed Plan
149 - 400-22	229	Metropolitan Toronto Region Conservation Authority: Watershed Plan (Map) May 1980
150 - 400-22 NEC	229	MAP: The Regional Municipality of Peel, indicating the area of the Niagara Escarpment Proposed Plan. Ministry of Transportation and Communications base map updated to 1979
151 - 400-4	231	Curriculum Vitae: Diana R. Macri
152 - 400-4	231	Air Photo of 195 acre property in the Town of Caledon of the Georgian Building Corporation, with overlay of development concept
153 - 400-4	231	Curriculum Vitae: Denis G. Stevens
154 - 400-4 NEC	231	Niagara Escarpment Commission paper and maps dated February 23, 1981 relating to File 400-4: The Georgian

Exhibit Number	Submission Number	Exhibit
154 - continued		Group, re Lots 9 and 10, Concession 3 E.H.S., Town of Caledon
155 - 400-21	232	Town of Caledon map, revised, July 3, 1974, used as a base map to indicate Niagara Escarpment Commission's Proposed Plan boundaries, existing and proposed equestrian trails
156 - 400-12 NEC	234	Air photo showing property of W.O. Twaites, East Half of Lots 31 and 32, Concession 5 W.H.S., Town of Caledon, Regional Municipality of Peel
157 - 400-10 NEC	235	Air photo showing property of K. H. Fockler, West Half Lot 11, Concession 4 E.H.S., Town of Caledon, Regional Municipality of Peel
158 - 400-23 NEC	249	Air photo showing property of Clifford R.J. Smith, West Half Lot 4, South Half Lot 5, Concession 3, W.H.S., Town of Caledon, Regional Municipality of Peel
159 - 500 NEC		Two Maps: (a) Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map indicating Dr. D. F. Hewitt's location of the Niagara Escarpment (b) Niagara Escarpment Commission's Proposed Plan May 4 - County of Dufferin and the Regional Municipality of Peel. Additional markings on map indicating Dr. D. F. Hewitt's location of the Niagara Escarpment
160 - 500 NEC		Four Items: (a) Cross-section of Hockley Valley prepared by the Niagara Escarpment Commission showing

Exhibit Number	Submission Number	Exhibit
160 - continued		Proposed Plan Designations, Overburden Bedrock, Scales: Vertical scale 1/10 inch = 25 feet; Horizontal scale 1:12,500 (b) Cross-section of Black Bank Hill prepared by the Niagara Escarpment Commission showing Proposed Plan Designations, Overburden Bedrock, Scales: Vertical scale 1/10 inch = 25 feet; Horizontal scale 1:12,500 (c) Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe, County of Dufferin. Key Map identifying area of cross-section of Black Bank Hill in Township of Mulmur as illustrated in (b) (d) Niagara Escarpment Commission Proposed Plan Map 4: County of Dufferin, Regional Municipality of Peel. Key map identifying area of cross-section of Hockley Valley in Township of Mono as illustrated in (a)
161 - 500-6	250	Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe, County of Dufferin. Marked by Mulmur Township to indicate lands the Township recommends to be removed from the Proposed Plan
162 - 500 NEC	250	Overlay prepared by the Niagara Escarpment Commission, to be applied to part of Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe, County of Dufferin. Overlay showing lands recommended by Mulmur for deletion from the Proposed Plan
163 - 500 NEC	250	Four Maps: (a) Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map

Exhibit Number	Submission Number	Exhibit
163 - continued		within Dufferin County indicating Criterion 1: Groundwater Infiltration Areas; Criterion 2: Headwater and Surface Streams (b) Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 3: Geological Areas; Criterion 4: Natural Areas (c) Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 5: Cultural Areas; Criterion 6: Forested Areas (d) Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 7: (Open Landscape and Buffer) Landscape Evaluation Study; Criterion 8: Access
164 - 500-33	251	Curriculum Vitae: Dr. Walter M. Tovell
165 - 500-27 NEC	258	Air Photo showing properties of Brunhilde Wechsel, Township of Mono, County of Dufferin
166 - 500-14 NEC	261	Air Photo showing property of Lloyd Thomson, Township of Mono, County of Dufferin
167 - 500-37 NEC	262	Air Photo showing property of Donald Cullen, Township of Mono, County of Dufferin
168 - 500-47 NEC	263	Air Photo showing property of Ralph S. McCreath, Township of Mono, County of Dufferin

Exhibit Number	Submission Number	Exhibit
169 - 500-28 NEC	264	Air Photo showing property of J.V. McKee, Township of Mulmur, County of Dufferin
170 - 500-53 NEC	268	Air Photo showing property of Bert Horner, Township of Mono, County of Dufferin
171 - 500-54	269	Soil map of Dufferin County. Soil Survey Report No. 38. Scale 1 inch to 1 mile or 1:63360. Soil survey by the Department of Soil Science, Ontario Agricultural College, Guelph and the Research Branch, Canada Department of Agriculture, Ottawa. Published by the Soil Research Institute, Research Branch, Canada Department of Agriculture, Ottawa, 1963
172 - 500-54 NEC	269	Air Photo showing property of Borden Brown, Township of Mulmur, County of Dufferin
173 - 500-55 NEC	270	Air Photo showing property of Howard Gallaugher, Township of Mulmur, County of Dufferin
174 - 500-74 NEC	271	Air Photo showing property of Hubert Kaiser, Township of Mulmur, County of Dufferin
175 - 500-32	274	Curriculum Vitae: Clarence P. Riepma
176 - 500-32	274	2 Items: (a) Pictorial presentation including 7 colored photographs (1 to 7) on mounted board with map showing subject lands, Nottawasaga River, Hockley Valley Road and Valley Schuss, submitted by Ronald Richards, April 14, 1981 (b) Pictorial presentation including 13 colored photographs (8 to 20) on mounted board showing development that has occured in the area of (a), submitted

Exhibit Number	Submission Number	Exhibit
176 - continued		by Ronald Richards, April 14, 1981
177 - 500-32	274	Curriculum Vitae: Bruce Alan Brown
178 - 500-71 NEC	276	Air Photo showing property of John Hamilton, Township of Mulmur, County of Dufferin
179 - 500-2	277	Air Photo showing property of Samuel H. Morrow, Township of Melancthon, County of Dufferin
180 - 500-24 NEC	279	Air Photo showing property of Ralph Davison, Township of Mulmur, County of Dufferin
181 - 500-51 NEC	280	Air Photo showing property of Norman H. Moffatt, Township of Mono, County of Dufferin
182 - 500-23	283	Air Photo with overlay showing subject property of Mrs. Helen Sinclair, Mono Township, County of Dufferin
183 - 500-22 NEC	288	Air Photo showing property of Harold Davidson, Township of Mulmur, County of Dufferin
184 - 500-68 NEC	293	Air Photo showing property of Gordon Henry, Township of Mono, County of Dufferin
185 - 500-69 NEC	294	Air Photo showing property of Miss Norah Henry, Township of Mono, County of Dufferin
186 - 500-57 NEC	296	2 Air Photos: (a) Air Photo showing property of Russell Tate, East 1/2 Lot 5, Concession 1, W.H.S., Part West 1/2 Lot 5, Concession 1 E.H.S., Township of Mulmur, County of Dufferin (b) Air Photo showing property of Russell Tate, East 1/2 Lot 12,

Exhibit Number	Submission Number	Exhibit
186 - continued		Concession 1, W.H.S., Township of Mulmur, County of Dufferin
187 - 500-62 NEC	298	Air Photo showing properties of Earl Dodds, Township of Mono, County of Dufferin
188 - 500-39 NEC	308	Air Photo showing property of George Shepherd, Township of Melancthon, County of Dufferin
189 - 500-77 NEC	309	Air Photo showing property of A.D. MacMillan, Township of Mulmur, County of Dufferin
190 - 500-75 NEC	310	Air Photo showing property of Dr. and Mrs. V. R. Perry, Township of Mulmur, County of Dufferin
191 - 500-76 NEC	313	Air Photo showing property of C.T. Meredith, Township of Mulmur, County of Dufferin
192 - 500-26	316	Curriculum Vitae: Francis John Cruttenden
193 - 500-59 NEC	317	Air Photo showing properties of Eric and Phyllis White, Township of Mono, County of Dufferin
194 - 500-15 NEC	319	Air Photo showing properties of Keith and Ruth Halbert and son, David Halbert, Township of Mono, County of Dufferin
195 - 500-4	320	General Plan, Township of Mono, Suburban Study Area 1 - R.J. Burnside and Associates Ltd., Orangeville, Ontario - Drawing 101 - Scale 1:2,000. Map showing five areas of proposed development including Edelbrock Bros. Ltd. proposed development Area Three and Niagara Escarpment Proposed Plan designations
196 - 500-85 NEC	321	Air Photo showing property of Howard Ferris, Township of Mulmur, County of Dufferin

Exhibit Number	Submission Number	Exhibit
197 - 500-58 NEC	322	Air Photo showing property of Kenneth and Pauline Henry, Township of Mono, County of Dufferin
198 - 500-96 NEC	323	Air Photo showing property of Donald Robb, Township of Mono, County of Dufferin
199 - 500-43 NEC	324	Air Photo showing property of Mrs. Kathy Miller, Township of Mono, County of Dufferin
200 - 300 NEC		Niagara Escarpment Proposed Plan Phase II Hearing Presentation, Regional Municipality of Halton (Burlington). Errata - Niagara Escarpment Proposed Plan Map 3 - Regional Municipality of Halton re: land owned by the Credit Valley Conservation Authority. Also included: An affidavit of service on property owner of lands proposed for land use designation change; Notice of Proposed Land Use Designation change; Reply form to the Proposed Land Use Designation Change; map indicating property.
201 - 300 NEC		Niagara Escarpment Commission's Proposed Plan Map 3 - Regional Municipality of Halton. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment
202 - 300 NEC		Niagara Escarpment Commission's Proposed Plan Map 3 - Regional Municipality of Halton. Key map identifying area of cross-section of Scotch Block (Exhibit 203 - 300 NEC) and the area of cross-section of Milton Heights (Exhibit 204 - 300 NEC)
203 - 300 NEC		Cross-section: Scotch Block, Regional Municipality of Halton. Vertical scale 1/10 inch = 25 feet, Horizontal Scale 1:12,500 showing

Exhibit Number	Submission Number	Exhibit
203 - continued		Proposed Plan Designations and Overburden-Bedrock
204 - 300 NEC		Cross-section: Milton Heights, Regional Municipality of Halton, Vertical scale 1/10 inch = 25 feet, Horizontal scale 1:12,500, showing Proposed Plan Designations and Overburden-Bedrock
205 - 300-16	327	Curriculum Vitae: Liaquat M. Siddiqui
206 - 300-16	327	An area map showing the Niagara Escarpment Commission Proposed Plan within the City of Burlington with an overlay indicating proposed changes by the City of Burlington
207 - 300-31	328	Curriculum Vitae: M.P. Venditti
208 - 300-8	332	Air Photo showing property (outlined by red line) of the Cedar Springs Community Club, City of Burlington, Regional Municipality of Halton as defined by Planistics Groups, Hamilton, Ontario. Scale 1:5,000 with Legend and two overlays
209 - 300-13 NEc	337	Air Photo showing property of Harry W. Zohoruk, Lot 15, Concession 2, City of Burlington
210 - 300-5 NEC	340	Air Photo showing property of Mrs. S. O'Reilly, Part W 1/2 Lot 14, Concession 1, Town of Milton
211 - 300-40 NEC	345	Air Photo showing property of Clarence Hewitt, Part Lot 8, Concession 2 NS, City of Burlington
212 - 300-51 NEC	347	Air Photo showing property of J.L. Chisholm, Part Lot 5, Concession 6, Town of Milton
213 - 300-25 NEC	348	Air Photo showing property of William F. Penson, Lot 23, Concession 8, Town of Halton Hills

Exhibit Number	Submission Number	Exhibit
214 - 300-19	350	Curriculum Vitae: James R. Balfour
215 - 300-19	350	Air Photo with two overlays showing property of Islington Investments, Town of Milton
216 - 300-19 NEC	350	Air Photo showing property of Islington Investments Ltd., Part Lot 13, Concession 7 NS, Town of Milton
217 - 300-52	351	Air Photo showing property of R.D.B. Building Products Ltd., Part Lot 1, Concession 1, Town of Milton
218 - 300-53 NEC	353	Air Photo showing property of Mrs. Mary Biason, Part Lot 10, Concession 1, Town of Milton
219 - 300-41	357	Map showing property owned by Goldfan Holdings Ltd., W 1/2 Lots 25 and 26, Concession 4 (Township of Esquesing), Town of Halton Hills, with line indicating the division of the Escarpment Natural Area designation and the Escarpment Rural Area. F.J. Reinders and Assoc. Ltd., Brampton/St. Catharines
220 - 300-34 -61	359 360	Air Photo (1971) showing property of J. Bryan Vaughan and Dorothy Truax Vaughan. Existing General Land Use, Scale 1:2500, June 1981. Walker Wright Young Assoc. Ltd.
221 - 300-34 -61	359 360	Curriculum Vitae: Ian M. Hale
222 - 300-34 -61	359 360	A report by Ian M. Hale, Physical Terrain Evaluation, Parts of Lots 27, 28 and 29, Concession 11, (Township of Esquesing), Town of Halton Hills, Bird and Hale Ltd., June, 1981
223 - 300-34 -61	359 360	Air Photo (1971) with colored overlays and markings: Physical Terrain Evaluation, Part of Lots 27,

Exhibit Number	Submission Number	Exhibit
223 - continued		28 and 29, (Township of Esquesing), Town of Halton Hills, Bird and Hale Ltd. Seven attached colored photographs. Study area boundary includes submissions 359 - 300-34 and 360 - 300-61
224 - 300-34 -61	359 360	Curriculum Vitae: Miss Linda Hellas
225 - 300-34 -61	359 360	A report by Linda Hellas. Biological Terrain Evaluation, Part of Lots 27, 28 and 29, Concession 11, (Township of Esquesing), Town of Halton Hills, Bird and Hale Ltd., June 1981
226 - 300-34 -61	359 360	Curriculum Vitae: Peter R. Walker
227 - 300-34 -61	359 360	Series of 18 colored photographs keyed to Exhibit 220 - 300-34
228 - 300-1 NEC	361	Air Photo showing property of Gail S. Dodokin, Part E 1/2 Lot 30, Concession 10, Town of Halton Hills,
229 - 300-1 NEC	361	Copy of Topographic Map: Georgetown Sheet 30M/12e, produced by the Survey and Mapping Branch, Department of Energy Mines and Resources (1974), Scale 1:25,000 showing property of Gail S. Dodokin (Exhibit 228 - 300-1 Niagara Escarpment Commission)
230 - 300-2	366	Map showing symbol to indicate property of Mr. and Mrs. Joseph Prucyk as it relates to a wide region of Ontario
231 - 300-2	366	Topographic map showing property of Mr. and Mrs. Joseph Prucyk in relation to the immediate surrounding area. Scale 1:25,000
232 - 300-2	366	Air Photo showing property of Mr. and Mrs. Joseph Prucyk, Town of

Exhibit Number	Submission Number	Exhibit
232 - continued		Halton Hills. Scale: 1 inch = 200 feet
233 - 300-2 NEC	366	Air photo showing property of Mr. and Mrs. Joseph Prucyk, Part Lot 23 and 24, Concession 7, (Township of Esquesing), Town of Halton Hills
234 - 300-2 NEC	366	Copy of Topographic Map: Georgetown Sheet 30M/12e, produced by the Surveys and Mapping Branch, Department of Energy Mines and Resources (1974). Scale: 1:25,000 showing property of Mr. and Mrs. Joseph Prucyk
235 - 300-30	367	Curriculum Vitae: Alfred A. Sobanski
236 - 300-30	367	Air Photo showing Dufferin Aggregates property and surrounding area with markings showing water basin. Also three overlays including: (a) Overlay: hydrologic impact, partial excavation (Ian D. Wilson) (b) Overlay: hydrologic impact, complete excavation (Marshall Macklin Monaghan) (c) Overlay: showing proposed reservoir, stream course entrances, possible diversion, completed quarry, proposed outlet and diversion improvement
237 - 300-17	368	Niagara Escarpment Commission Proposed Plan Map 3, Regional Municipality of Halton. Additional markings placed on map by Ian McNaughton, showing a portion of ESA 25 and a portion of CNR located outside of the Niagara Escarpment Proposed Plan along with a portion of ESA 29 (colored yellow)
238 - 300-17 NEC	368	Curriculum Vitae: Dr. Paul F. Maycock

Exhibit Number	Submission Number	Exhibit
239 - 300-17	368	Dr. Paul Maycock's field notes, dated April 22, 1981, Niagara Escarpment section of Standard Aggregate property, Speyside, Halton Region
240 - 300-17	368	Dr. Paul Maycock's field notes (3 pages) 23S and 23N, dated June 16, 1981
241 - 300-17	368	Dr. Paul Maycock's field notes No. 27 - unit on Standard Aggregate property, June 16, 1981
242 - 300-17 NEC	368	Curriculum Vitae: U. Sibul
243 - 300-17	368	Air Photo, part of the Region of Halton, showing E.S.A. Designated (E.S.A. 29 - Speyside area and E.S.A. 25 - Hilton Falls area), Ministry of Natural Resources licensed pit, proposed pit, public lands. Flown May 9, 1979 by Northway - Gestait Corporation. Exhibit submitted by the Halton Region Conservation Authority
244 - 300-17	368	Curriculum Vitae: Brian R. Whitehead
245 - 300-17	368	Mineral aggregate transportation study. Final report. Industrial Mineral Background Paper 1, prepared for: Ministry of Natural Resources by Peat Marwick and Partners, M.M. Dillon Ltd., December, 1980
246 - 300-17	368	Mineral aggregate transportation study. Summary. Industrial Mineral Background Paper 1 (a) prepared for: Ministry of Natural Resources by Peat Marwick and Partners, M. M. Dillon Ltd., December 1980
247 - 300-45	369	Niagara Escarpment Commission Proposed Plan Map 3: Regional

Exhibit Number	Submission Number	Exhibit
247 - continued		Municipality of Halton, with overlay prepared by the Halton Region Conservation Authority showing the Authority's proposed acquisition
248 - 800 NEC		Niagara Escarpment Commission's Proposed Plan Map 8 - County of Bruce: Township of Albermarle, Township of Amabel, Township of Eastnor, Village of Lion's Head and the Town of Wiarton. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment
249 - 800 NEC		Niagara Escarpment Commission's Proposed Plan Map 9 - County of Bruce: Township of Lindsay and Township of St. Edmunds. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment
250 - 800 NEC		Two Items: (a) Cross-section: Cabot Head, County of Bruce as prepared by the Niagara Escarpment Commission showing Proposed Plan Designations and Overburden Bedrock. Vertical scale 1/10 inch = 25 feet, Horizontal scale 1:12,500 (b) Niagara Escarpment Commission Proposed Plan Map 9: County of Bruce. Key map identifying area of cross-section of Cabot Head
251 - 800 NEC		Two Items: (a) Cross-section: Cape Dundas, County of Bruce as prepared by the Niagara Escarpment Commission showing Proposed Plan Designations and Overburden Bedrock. Vertical scale 1/10 inch - 25 feet, Horizontal scale 1:12,500 (b) Niagara Escarpment Commission Proposed Plan Map 8: County of

Exhibit Number	Submission Number	Exhibit
251 - continued		Bruce. Key map identifying area of cross-section of Cape Dundas
252 - 800-46	373	Two maps: (a) Niagara Escarpment Commission Proposed Plan Map 8, County of Bruce: Township of Albemarle, Township of Amabel, Township of Eastnor, Village of Lion's Head and the Town of Wiarton. Additional markings placed on map by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes (b) Niagara Escarpment Commission Proposed Plan Map 9, County of Bruce: Township of Lindsay and Township of St. Edmunds. Additional markings placed on map by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes
253 - 800-13 NEC	378	Air Photo showing property of Verdon Mackie, Lot 8, Concession 9, E.B.R., Township of Eastnor, County of Bruce
254 - 800-10 NEC	381	Air Photo showing property of John Clark, Lot 14, Concession 11, E.B.R., Township of Eastnor, County of Bruce
255 - 800-37	384	Air Photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot in a portion of the County of Bruce as submitted by Peter Fallis, legal counsel

Exhibit Number	Submission Number	Exhibit
256 - 800-37	384	Ministry of Government Services, Instructions to Tenderers, re: Sale of Bush Land in Part Lot 31 and 32, Concession 8, E.B.R., in the Township of Albemarle, County of Bruce, containing 156.6 acres more or less
257 - 800-37	384	Map of Albermarle Township, County of Bruce showing lands to be exempt from the Proposed Plan for the Niagara Escarpment as requested by legal counsel, Peter Fallis
258 - 800-37 NEC	384	Air Photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot, Township of Albemarle, County of Bruce
259 - 800-44 NEC	387	Air Photo showing property of A.H. Libby, Lot 9, Concession 14 E.B.R., Township of Eastnor, County of Bruce
260 - 800-29 NEC	392	Air Photo showing property of Ruth and Gordon Hill, Lot 20, Concession 8 E.B.R., Township of St. Edmunds, County of Bruce
261 - 800-17 NEC	394	Air Photo showing property of Mr. and Mrs. Gordon Richardson, Lot 9, Concession 11, Township of Eastnor, County of Bruce
262 - 800-15 NEC	395	Air Photo showing property of Mr. and Mrs. Ronald Ceaser, Lot 20 and Part Lots 21 and 22, Concession 7 E.B.R., Lots 19, 20 and 21, Concession 8 E.B.R., Township of Lindsay, County of Bruce
263 - 800-11 NEC	396	Air Photo showing property of Mr. and Mrs. Frank Richardson, Lot 9, Concession 9 E.B.R., Township of Eastnor, County of Bruce
264 - 800-19 NEC	397	Two Items: (a) Air Photo showing property of

Exhibit Number	Submission Number	Exhibit
264 - continued		Mr. and Mrs. James Rodgers, Lot 18, Concession 6, E.B.R., Township of Eastnor, County of Bruce (b) Air Photo showing property of Mr. and Mrs. James Rodgers, Lot 30, Concession 1 and 2, E.B.R., Township of St. Edmunds, County of Bruce
265 - 800-23	400	Curriculum Vitae: Bernard P. Hermsen
266 - 800-23	400	Air Photo of properties owned by Colpoys Cove Investments (Harold J. Murphy) Lot 26 and 27, Concession 15, E.B.R. - Lot 23, Part Lot 24 and 25, Concession 15, E.B.R. - Lot 27 and 28, Concession 14, E.B.R. - in the Township of Albemarle, County of Bruce. Site analysis as submitted by MacNaughton, Hermsen Planning Ltd.
267 - 800-23	400	A series of 12 photos illustrating site views of Colpoys Cove Investments' properties, the subject of this application and views of adjoining property
268 - 800-23	400	Preliminary concept plan of development properties owned by Colpoys Cove Investments, Township of Albemarle, County of Bruce. Air Photo, scale 1:4000 MacNaughton, Hermsen Planning Ltd.
269 - 800-23	400	Resolution from the County of Bruce. Niagara Escarpment Committee re Mr. Murphy, Lots 28 to 32, Concession 14 and 15, Township of Albemarle, dated August 4, 1981
270 - 800-23	400	Resolution from the Township of Albemarle re: Colpoys Cove Property, Lots 25, 26, 27, 28, Concession 15, E.B.R. Letter dated August 18, 1981
271 - 800-27 NEC	403	Air Photo showing property of

Exhibit Number	Submission Number	Exhibit
271 - continued		Richard Fox, Lots 18 and 19, Concession 8 E.B.R., Lot 18, Concession 9 E.B.R., Part Lot 18, Concession 10 E.B.R., Township of Lindsay, County of Bruce
272 -	700 NEC	Niagara Escarpment Proposed Plan, Phase II Hearing Presentation, County of Grey (Owen Sound). Errata - Niagara Escarpment Proposed Plan. Section of Map 6, Collingwood Township. Section of Map 7, Keppel Township
273 -	700 NEC	Two Items: (a) Niagara Escarpment Commission's Proposed Map 6 - County of Grey. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment (b) Niagara Escarpment Commission's Proposed Plan Map 7 - County of Grey. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment
274 -	700 NEC	Two Items: (a) Cross-section: Beaver Valley, County of Grey as prepared by the Niagara Escarpment Commission showing Proposed Plan Designations and Overburden Bedrock. Vertical scale 1/10 inch = 25 feet, Horizontal scale 1:12,500 (b) Niagara Escarpment Commission Proposed Plan Map 6: County of Grey. Key map identifying area of cross-section of Beaver Valley
275 -	700 NEC	Two Items: (a) Cross-section: Slough of Despond, County of Grey as prepared by the Niagara Escarpment Commission showing Proposed Plan Designations and

Exhibit Number	Submission Number	Exhibit
275 - continued		Overburden Bedrock. Vertical scale 1/10 inch = 25 feet. Horizontal scale 1:12,500 (b) Niagara Escarpment Commission Proposed Plan Map 7: County of Grey. Key map identifying area of cross-section of the Slough of Despond
276 - 700-87	406	Niagara Escarpment Commission Proposed Plan Map 7, County of Grey, with additional markings by Richard Hughes, Deputy Planning Director, County of Grey, showing land requested for deletion and designation change
277 - 700-103	407	Air Photo of a portion of Derby Township, County of Grey, showing lands requested by the Township of Derby for a change in designation
278 - 700-47 NEC	409	Air Photo showing property of Joseph Lesich, Lot 25 and 26, Concession 1 NCR and Lots 41 and 42, Concession C, Sydenham Township, County of Grey
279 - 700-56 NEC	411	Air Photo showing property of Harold Wrigley, Lot 32, Concession 24, Keppel Township, County of Grey
280 - 700-84 NEC	416	Air Photo showing property of Murray Fox, Part Lots 12, 13 and 14, Colpoys Range, Part Lot 12, Concession 25, Keppel Township, County of Grey
281 - 700-15 NEC	417	Air Photo showing property of Robert C. Thompson, Part Lot 9, Concession 4, Township of Collingwood, County of Grey
282 - 700-7 NEC	419	Air Photo showing property of Mr. and Mrs. Robert Porter and Robert Porter Jr. Part Lots 23, 24 and 25, Concession 26, Lot 26, Concession 26 and Part Lots 31 and 32,

Exhibit Number	Submission Number	Exhibit
282 - continued		Concession 26, Township of Keppel, County of Grey
283 - 700-13 NEC	421	Air Photo showing property of Norman S. Seabrook, Part Lot 3, Concession 12 EGR, Township of Holland, County of Grey
284 - 700-6 NEC	422	Air Photo showing property of Lloyd Ball, Part Lots 28, 29 and 30, Concession 25 and Part Lot 29, Concession 23, Township of Keppel, County of Grey
285 - 700-8 NEC	423	Air Photo showing property of Mr. and Mrs. R. Coward, South Part Lot 2, Concession 11, EGR, Township of Holland, County of Grey
286 - 700-25 NEC	424	Air Photo showing property of Fred Barnes, Part Lot 5, Concession 4 and Part Lot 5, Concession 4, Township of Euphrasia, County of Grey
287 - 700-12 NEC	428	Two Items: (a) Air Photo showing property of Fred Davenport, Lot 34 and 35, Concession 17, Township of Keppel, County of Grey (b) Air Photo showing property of Fred Davenport, Part Lot 34, Concession 20, Lots 41 and 42, Concession 21, Township of Keppel, County of Grey
288 - 700-11 NEC	429	Air Photo showing property of R. Alonzo Rennie, Part Lot 30, Concession 11, Township of Euphrasia County of Grey
289 - 700-62 NEC	430	Air Photo showing property of Irene Potter, Part Lot 11, Concession 12, Township of Sydenham, County of Grey
290 - 700-53 NEC	431	Air Photo showing property of Ray Landherr, Lot 16, Plan 825 (Part Lot 27, Concession 17) Township of

Exhibit Number	Submission Number	Exhibit
290 - continued		Keppel, County of Grey and property of Mrs. Carrie Landherr, Part Lot 26, Concession 19, Township of Keppel, County of Grey
291 - 700-77 NEC	434	Air Photo showing property of Walter Reid, Part Lot 1, Concession 1, Township of Sydenham, County of Grey
292 - 700-75 NEC	436	Air Photo showing property of Robert William Reid, Lot 4, Concession 10, Township of Holland, County of Grey
293 - 700-89 NEC	437	Air Photo showing property of Eric Blaser, West 1/2 Lot 16, Concession 5, and Part Lot 15, Concession 3, Township of Collingwood, County of Grey
294 - 700-29	438	Air Photo No. 1. Site Analysis: Dearie Contracting Limited, Scale 1:2500, Date: September, 1981. Job No. 79:033. The Malone Group Limited
295 - 700-29	438	Curriculum Vitae: Donald F. Given
296 - 700-29	438	Map of Canada, Department of Energy, Mines and Resources, Survey and Mapping Branch, 1970: 1 inch equals 100 miles. Additional red dots placed on map by Donald F. Given, indicating study areas where master park plans, dealing with the environment have been conducted by Given
297 - 700-29	438	Air Photo No. 2. Existing Conditions: Dearie Contracting Limited, Scale: 1:2500, Date: September 1981. Job No. 79:033. The Malone Group Limited
298 - 700-29	438	Air Photo No. 3. Proposed Concept: Dearie Contracting Limited. Scale: 1:2500, Date: September 1981. Job

Exhibit Number	Submission Number	Exhibit
298 - continued		No. 79:033. The Malone Group Limited
299 - 700-29	438	Subject Property: Dearie Contracting Limited. Cross-section Through Site. Date: September 1981. Scale: 1:2000. The Malone Group Limited
300 - 700-29	438	Niagara Escarpment Commission Proposed Plan Map 6, County of Grey: Township of Artemesia, Township of Collingwood, Township of Euphrasia, Township of Osprey and Township of St. Vincent. Additional markings placed on map by Donald F. Given, indicating his concept of the area he considers to be the Beaver Valley
301 - 700-29 NEC	438	Air Photo showing property of Dearie Contracting Limited, South 1/2 Lot 9, Concession 5, Township of Euphrasia, County of Grey
302 - 700-17 NEC	440	Air Photo showing property of Robert McKessock, Part Lots 4 and 5, Concession 7, West 1/2 Lot 3, Concession 9, Township of Holland, County of Grey
303 - 700-42 NEC	441	Two Items: (a) Air Photo showing property of Kenneth B. Taylor, Lots 37 and 38, Concession 22; Lots 36 and 37, Concession 21, Township of Keppel, County of Grey (b) Air Photo showing property of Kenneth B. Taylor, Part Lots 38 and 39, Concession 24; Lot 13, Plan RD-77, Township of Keppel, County of Grey
304 - 700-1 NEC	443	Air Photo showing property of Bernd Moos, East Part Lot 10, Concession 6, Township of Euphrasia, County of Grey
305 - 700-18 NEC	445	Air Photo showing property of Thomas,

Exhibit Number	Submission Number	Exhibit
305 - continued		Earl, Donald and David Dailey, Part Lot 28 and 29, Concession 20, Township of Keppel, County of Grey; Thomas, Earl and Donald Dailey, Part Lot 29, Township of Keppel, County of Grey
306 - 700-101 NEC	446	Air Photo showing property of William Stephens, Lot 27, Concession 8, Township of Artemesia, County of Grey
307 - 700-80 NEC	449	Air Photo showing property of David Dinsmore, North 1/2 Lot 2, Concession 5, St. Vincent Township, County of Grey
308 - 700-48 NEC	450	Air Photo showing property of Arnold Flanigan, Part Lot 40, Concession 23, Township of Keppel, County of Grey
309 - 700-27 NEC	452	Air Photo showing property of Sundance of Blantyre Limited, Lot 1, Concession 9; East 1/2 Lot 1, Concession 10, Township of St. Vincent, County of Grey; and West 1/2 Lot 29, Concession 8; North Part Lot 29, Concession 9, Township of Euphrasia, County of Grey
310 - 700-38	453	Air Photo showing property of Cecil Cole, Lot 37, Concession 23 and Lot 36, Concession 24, Township of Keppel, County of Grey
311 - 700-81 NEC	454	Air Photo showing property of Donald Abernethy, Part Park Lots 48 and 49, Town Plot of Brooke, Township of Sarawak, County of Grey
312 - 700-35 NEC	455	Air Photo showing property of Alex Torrie, West 1/2 Lot 1, Concession 9; East 1/2 Lot 2, Concession 9; and East 1/2 Lot 3, Concession 8, Township of Holland, County of Grey
313 - 700-24 NEC	458	Air Photo showing property of Harold Sutherland, Part Lots 27 and 28,

Exhibit Number	Submission Number	Exhibit
313 - continued		Concession 28, Township of Keppel, County of Grey
314 - 700-55 NEC	460	Air Photo showing property of James, Allan and Freda Thompson, Part Lots 33 and 34, Concession 26, Township of Keppel, County of Grey
315 - 700-57 NEC	462	Air Photo showing property of Ross Cruikshank, Part Lots 4 and 5, Concession 1; and Town Plot of Brooke, Township of Sarawak, County of Grey
316 - 700-61 NEC	464	Air Photo showing property of Mervin Campbell, West 1/2 Lot 11, Concession 2, Township of Collingwood, County of Grey
317 - 700-26 NEC	465	Air Photo showing property of Elroy Belbeck, West 1/2 Lot 3, Concession 10 - EGR, Township of Holland, County of Grey
318 - 700-66 NEC	466	Air Photo showing property of Walter Scott, Part Lot 4, Concession 7, Township of Sydenham, County of Grey
319 - 700-40	467	Curriculum Vitae: Peter G. McInnis
320 - 700-40	467	Curriculum Vitae: Cameron M. Kitchen
321 - 700-40	467	Air Photo of Cambray Investments Ltd. property in the Beaver Valley. Also attached overlay for above property: Plan No. 3, Development Envelopes. Scale 1:2000. Jack Klein and Henry Sears, Architects
322 - 700-40	467	Plan No. 3 - site plan: Proposed Development, Cambray Investments Ltd. property, Plan of survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Klein and Sears

Exhibit Number	Submission Number	Exhibit
323 - 700-40	467	Two Items: (a) Artist's conception of proposed inn on Cambray Investments Ltd. property in the Beaver Valley. "Front of Inn looking North-East". Epping Commons (b) Artist's conception of proposed housing cluster on Cambray Investments Ltd. property in the Beaver Valley. "Housing Cluster looking South-East". Epping Commons
324 - 700-40	467	Two Items: (a) Winter photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached (b) Summer photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached
325 - 700-40	467	Site Sections: Cambray Investments Ltd. property in the Beaver Valley. Epping Commons:Scale 1:2000. Klein and Sears, Architects
326 - 700-40	467	First site plan developed by Cambray Investments Ltd. for property in the Beaver Valley approximately 1978. A preliminary plan. Klein and Sears, Architects
327 - 700-40	467	Second proposed plan of Cambray Investments Ltd. as submitted to the Township of Euphrasia in June, 1979. Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Plan No. 3, Site Plan - Proposed Development. Klein and Sears
328 - 700-40	467	Certified true copy of the minutes of the Beaver Valley Planning Board meeting, September 11, 1979

Exhibit Number	Submission Number	Exhibit
329 - 700-40	467	Certified true copy of the minutes of a Beaver Valley Planning Board public meeting held on June 19, 1980
330 - 700-40	467	Minutes of the Beaver Valley Planning Board meeting, June 24, 1980
331 - 700-40	467	Certified true copy of the minutes of the council meeting of the Township of Euphrasia, July 4, 1980
332 - 700-40	467	Amendment No. 33 to the Official Plan of the Beaver Valley Planning Area, prepared by: The Grey County Planning Department for the Beaver Valley Planning Board, May 1980
333 - 700-40	467	Soil map of Cambray Investments Ltd. property, Plan of survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Soils alphanumeric code attached. Scale 1:2000
334 - 700-40	467	Topographic map, 1976, Department of Energy, Mines and Resources. Area: Markdale, Grey County, Ontario. Scale 1:50,000. Cambray Investments Ltd. property in Beaver Valley marked on map
335 - 700-40	467	Two Items: (a) Tourism Development Strategy, Collingwood - Midland - Orillia Zone, Volume 1, prepared for: Ontario Ministry of Industry and Tourism. Prepared by: Marshall Macklin Monaghan Limited, Thorne Stevenson and Kellogg. May 1980 (b) Tourism Development Strategy, Collingwood - Midland - Orillia Zone, Volume 2, Technical Appendix. Prepared for: Ontario Ministry of Industry and Tourism. Prepared by: Marshall Macklin Monaghan Limited, Thorne Stevenson and Kellogg. May 1980

Exhibit Number	Submission Number	Exhibit
336 - 700-40 NEC	467	Four Items: (a) Beaver Valley - Viewshed Analysis with Legend: Major Forest Areas, Major Development Areas and Proposed Plan Boundary. Scale 1:25,000 (b) An overlay for (a) above: Grey County Road 7 with Legend (c) An overlay for (a) above: Grey County Road 13 with Legend (d) An overlay for (a) above: Panoramic Views with Legend
337 - 700-40 NEC	467	Panoramic Views of Beaver Valley from four viewpoints as marked on Exhibit 336 - 700-40 NEC
338 - 700-40 NEC	467	Topographical map of Beaver Valley, Scale 1:25,000 and showing Proposed Plan Boundary and Epping Commons Site. Also attached is a visibility composite overlay
339 - 700-40 NEC	467	Curriculum Vitae: Fidenzio Salvatori
340 - 700-40 NEC	467	Terms of Reference: Beaver Valley Visual Resources Management Study, August 31, 1981 re: Fidenzio Salvatori, Consultant
341 - 700-40 NEC	467	A report on the Visual Analysis of the Beaver Valley Escarpment Area. Prepared by: Professor Fidenzio Salvatori, Department of Landscape Architecture, University of Toronto. October 13, 1981
342 - 700-40	467	Curriculum Vitae: Keith W. Lathem
343 - 700-40	467	Coalition on the Niagara Escarpment. Hydrologic/Hydrogeologic Appraisal, Epping Commons Development. The Lathem Group Inc., Consulting Engineers. October 9, 1981
344 - 700-40	467	Topographical map indicating the watershed of the Beaver River

Exhibit Number	Submission Number	Exhibit
345 - 700-40	467	Schematic of Local Hydrologic Cycle: Beaver Valley area
346 - 700-40	467	Topographical map: lands owned by Cambray Investments Limited from a drawing by Klein and Sears, dated March 1979, indicating wooded areas, drainage channels and wetlands. The Lathem Group Inc., 8108, October 1981
347 - 700-40	467	Air Photo showing Beaver River and swamp in the vicinity of the subject property: Cambray Investments Limited
348 - 700-40	467	Map of Beaver Valley and surrounding area showing property of some Beaver Valley Heritage Society members in proximity to Cambray Investments Limited property
349 - 700-40	467	Sketch showing certain properties in the proximity of Cambray Investments Limited property. Also attached, portions of a topographical map and a Niagara Escarpment Commission Proposed Plan map showing the Beaver Valley area
350 - 700-40	467	Petition of 331 signatures in support of the development of Epping Commons, as submitted by Madelene Cummins, Concerned Citizens of the Beaver Valley
351 - 700-40	467	Letter dated October 19, 1981 in support of Epping Commons development and signed by the three trustees of the Village of Kimberly
352 - 700-40	467	Letter dated October 14, 1981 in support of Epping Commons development signed by Carol Burgess, President, Meaford and District Chamber of Commerce
353 - 700-40	467	Letter dated October 15, 1981 in

Exhibit Number	Submission Number	Exhibit
353 - continued		support of Epping Commons development signed by Paul Dawson, President, Flesherton and District Chamber of Commerce
354 - 700-40	467	Letter dated October 15, 1981 in support of Epping Commons development signed by Gwennyth Poulton, Secretary, Markdale Chamber of Commerce
355 - 700-40	467	Letter in support of Epping Commons development (not dated), signed by E.M. Juffs, Past President, Flesherton and District Chamber of Commerce
356 - 700-40	467	Letter in support of Epping Commons development, signed by Peter Scopin, Manager, Fort Garry Motel and members of the Flesherton and District Chamber of Commerce
357 - 700-40	467	Letter dated October 19, 1981 in support of Epping Commons development, signed by Ronald A. Cross
358 - 700-40	467	Curriculum Vitae: Ian D. Wilson
359 - 700-108 NEC	470	Air Photo showing property of Donald MacQueen, Lot 24, Concession 6, Township of Sydenham, County of Grey
360 - 700-104 NEC	473	Air Photo showing property of Charles Kramer, Part Lot 16, Concession 4,and Part Lot 14, Concession 2, Township of Derby, County of Grey
361 - 600 NEC		Niagara Escarpment Commission Proposed Plan Map 5 - County of Simcoe and County of Dufferin. Additional markings on map indicating Dr. D. F. Hewitt's location of the Niagara Escarpment
362 - 600 NEC		Two Items:

Exhibit Number	Submission Number	Exhibit
362 - continued		(a) Cross-section: Mad River Valley, Nottawasaga Township, County of Simcoe as prepared by the Niagara Escarpment Commission showing Proposed Plan Designations and Overburden Bedrock. Vertical scale 1/10 inch = 25 feet, Horizontal scale 1:12,500 (b) Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe and County of Dufferin. Key map identifying area of cross-section of the Mad River Valley
363 - 600 NEC		Niagara Escarpment Proposed Plan Impact Study Terms of Reference for Consultants
364 - 600-26	474	A resolution passed by the Council of the County of Simcoe, dated November 17, 1981 and certified as a true and correct copy
365 - 600-1	475	Niagara Escarpment Commission's Proposed Plan Map 5 - County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Township of Nottawasaga proposed for redesignation/removal from the Proposed Plan
366 - 600-1	475	A series of 208 photographs mounted on 23 sheets numbered as (a) through (w), taken in the Township of Nottawasaga and indicated on Exhibit 365
367 - 600-1 NEC	475	Niagara Escarpment Commission Proposed Plan Map 5 - County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 1: Groundwater Infiltration Areas; and Criterion 2: Headwaters and

Exhibit Number	Submission Number	Exhibit
367 - continued		Surface Streams
368 - 600-1 NEC	475	Niagara Escarpment Commission Proposed Plan Map 5 - County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 3: Natural Areas; Criterion 5: Forested Areas; and Criterion 8: Geological Areas
369 - 600-1 NEC	475	Niagara Escarpment Commission Proposed Plan Map 5 - County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 6: Landscape Areas (1) Outstanding, (2) Very Attractive and (3) Attractive; Criterion 7: Public Access
370 - 600-1 NEC	475	Map 2341, Paleozoic Geology, Collingwood - Nottawasaga, Scale 1:50,000 Ontario Division of Mines. Additional markings on map by the Niagara Escarpment Commission indicating the approximate location of the brow of the Niagara Escarpment and the approximate location of the base of the Niagara Escarpment
371 - 600-16 NEC	477	Air Photo showing property of William Coutts, Part Lot 7, Concession 12, Township of Nottawasaga, County of Simcoe
372 - 600-28 NEC	478	Air Photo showing property of Lynn Wilkinson, East 1/2 Lot 1, Concession 8 and West 1/2 Lot 1, Concession 7, Township of Nottawasaga, County of Simcoe
373 - 600-25 NEC	479	Air Photo showing property of Hubert B. Sceats, Part Lots 38 and

Exhibit Number	Submission Number	Exhibit
373 - continued		39, Concession 12, Township of Nottawasaga, County of Simcoe
374 - 600-18 NEC	480	Air Photo showing property of Glen Best, East 1/2 Lot 14, Concession 10, and West 1/2 East 1/2 Lot 13, Concession 10, Township of Nottawasaga, County of Simcoe
375 - 600-27 NEC	481	Air Photo showing property of Mrs. Vi Bookman, Part East 1/2 Lot 5, Concession 9, Township of Nottawasaga, County of Simcoe
376 - 600-7 NEC	483	Air Photo showing property of Sam S. Sharpe, Part Lot 14, Concession 7, Township of Nottawasaga, County of Simcoe
377 - 600-4 NEC	485	Air Photo showing property of Kurt E. Vogel,North 1/2 Lot 20, Concession 9, and Part West 1/2 Lot 19, Concession 9, Township of Nottawasaga, County of Simcoe
378 - 600-24 NEC	486	Air Photo showing property of Dr. and Mrs.R. Heimbecker, Part Lot 38, Concession 12, Township of Nottawasaga, County of Simcoe
379 - 100 NEC		Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara. Additional markings on map indicating Dr. D.F. Hewitt's location of the Niagara Escarpment
380 - 100 NEC		Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara. Additional markings on map indicating Approved Urban Area Boundary (Ontario Municipal Board or Minister) as proposed changes accepted by the Niagara Escarpment Commission
381 - 100 NEC		Niagara Escarpment Commission Proposed Plan Map 1 - Regional

Exhibit Number	Submission Number	Exhibit
		Municipality of Niagara. Key map identifying area of cross-section of the Short Hills area as shown on Exhibit 382 - 100 NEC
382 - 100 NEC		Cross-section: Short Hills area in the Regional Municipality of Niagara as indicated on Exhibit 381 - 100 NEC. Also shown: Proposed Plan Designation, Overburden Bedrock. Vertical scale 1/10 inch = 25 feet, Horizontal Scale 1:12,500
383 - 100-7		Letter submitted by Burton Kellock. Dated November 3, 1981 from C.A. Louis, Manager, Plans Preparation, Niagara Escarpment Commission to Ian F. MacNaughton, of MacNaughton Herman Planning Limited
384 - 100-2	489	Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara, with additional markings by the Regional Municipality of Niagara entitled - Niagara Escarpment Plan and Proposed Changes
385 - 100-2	489	Certified true copy of Resolution No. 13, dated May 7, 1981, The Regional Municipality of Niagara re: Steed and Evans Limited
386 - 100-26	491	Land use map of the Town of Grimsby prepared by the Town's Planning Department
387 - 100-26 NEC	491	A map and two pages from a staff report to the Niagara Escarpment Commission, dealing with land sites in Beamsville, Grimsby and west of the Town of Grimsby
388 - 100-51	494	Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara, with additional markings by the Town of Niagara-on-the-Lake relating to the Town's recommendations,

Exhibit Number	Submission Number	Exhibit
388 - continued		January 13, 1982: (1) deletions from the Proposed Plan; (2) changes in designations within Plan; (3) policy changes (additions or deletions)
389 - 100-55	495	Report to the Niagara Falls City Council, prepared by A. Greaves, Planning Director, and submitted by J.L. Collinson, Acting Chief Administrative Officer. File: N-4; Date: 1981.12.07; Report: PD/112/81. Re: Niagara Escarpment Proposed Plan Hearings
390 - 100-55	495	Report to the Niagara Falls City Council, prepared by D. Darbyson, Senior Planner; Recommended by A. Greaves, Planning Director; submitted by J.L. Collinson, Acting Chief Administrative Officer. File: N-4; Date: 1982.01.11; Report: PD/4/82. Re: Niagara Escarpment Proposed Plan Hearing and T.G. Bright & Co. Limited Proposal
391 - 100-55	495	A map of the City of Niagara Falls indicating the City's recommended boundary changes for the Niagara Escarpment Commission's Proposed Plan
392 - 100-6 NEC	487	Air Photo showing property of Mrs. Roy Summers, Part Lots 52, 53, 54, 55 and 56, City of Thorold, Regional Municipality of Niagara
393 - 100-8 NEC	498	Air Photo showing property of Nick Mouriopoulis, Part Lot 19, Concession 2 and 3, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara
394 - 100-10	500	Map of subject property owned by John T. Pennachetti in the City of St. Catharines, Regional Municipality of Niagara

Exhibit Number	Submission Number	Exhibit
395 - 100-75	501	Air Photo showing property owned by Stephen Dmytrow (30 acres), Lot 12, Concession 5, Beamsville, Regional Municipality of Niagara
396 - 100-16 NEC	502	Air Photo showing property of Harold E. Costello, Part Lot 14, Concession 2, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara
397 - 100-45	503	Surveyor's map and description of property owned by Mr. and Mrs. G.R. Ellis, Part of Lot 18, Concession 5, formerly Township of Louth, County of Lincoln, now Town of Lincoln, Regional Municipality of Niagara
398 - 100-17 NEC	505	Air Photo showing property of Edward P. Legros, Part Lot 95, former Township of Niagara, Town of Niagara-on-the-Lake, Regional Municipality of Niagara
399 - 100-24	508	Topographic map showing subject properties of Costain Limited (508 - 100-24), Deanfield Farms Limited (509 - 100-60), Niagara Peninsula Investments Limited (510 - 100-83), all in the Town of Grimsby, Regional Municipality of Niagara, prepared by John Bousfield Associates Limited, Consulting Town Planners, Toronto, Ontario
400 - 100-60	509	Plan showing lands owned by Deanfield Farms Limited, Part of Lot 4, Concession 2, former Township of North Grimsby, now Town of Grimsby, Regional Municipality of Niagara prepared by Kerry T. Howe, Ontario Land Surveyor, St. Catharines, Ontario
401 - 100-18	511	Bruce Trail sign made of metal,

Exhibit Number	Submission Number	Exhibit
401 - continued		similar to signs posted along the Bruce Trail from Queenston to Tobermory by the Bruce Trail Club
402 - 100-28 NEC	515	Air Photo showing property of Nick Andreychuk, Part Lot 6, Concession 2, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara
403 - 100-21	516	Two communications with attached air photo sent to Dr. Joseph Saine from the Ministry of Natural Resources: one dated February 24, 1976; one dated January 12, 1982
404 - 100-21	516	Preliminary sketch No. 1, plan of subdivision, Town of Grimsby, property of Dr. Joseph Saine, prepared by Harry Weber, professional planner, dated December 9, 1975
405 - 100-21	516	Topographic map of area including Dr. Joseph Saine's property in the Town of Grimsby. Northway Survey Corporation Limited, Toronto, Canada. Scale: 200 feet = 1 inch
406 - 100-21	516	Letter of authorization, dated January 12, 1982, giving Dr. Joseph Saine the authority to represent the following: W. Klish, W. Bezchlibnyk, M. Barabash and E. Janishewskyj
407 - 100-21	516	Authorization given to Dr. Joseph Saine to represent Firestone Management Ltd., Joseph H. Firestone re: The Niagara Escarpment Proposed Plan Hearing. C.N.C.P. Telecommunications, January 19, 1982
408 - 100-21	516	Letter of authorization dated January 18, 1982, giving Dr. Joseph Saine the authority to represent Edwin J. Gadsby, re: the Niagara Escarpment Proposed Plan Hearing
409 - 100-21 NEC	516	Air Photo showing property of

Exhibit Number	Submission Number	Exhibit
409 - continued		Dr. Joseph Saine, Part Lot A and B, East Gore, Town of Grimsby, Regional Municipality of Niagara, as defined by the Niagara Escarpment Commission. January 26, 1982
410 - 100-41	518	Air Photo showing property of Robert Merritt, Town of Grimsby, Regional Municipality of Niagara
411 - 100-41 NEC	518	Air Photo showing properties of Robert Merritt, (1) Part Lot 10, Concession 2, Town of Grimsby (former Township of North Grimsby), Regional Municipality of Niagara; (2) Part Lot 10, Concession 3, Town of Grimsby (former Township of North Grimsby), Regional Municipality of Niagara
412 - 100-25 NEC	519	Air Photo showing property of Lloyd N. Meyers, Part Lot 21, Concession 3, Town of Lincoln, Regional Municipality of Niagara
413 - 100-84	523	Air Photo showing property of Margaret and Steven Baran, Part Lots 17 and 18, Concession 5, former Township of Clinton, Town of Clinton, Regional Municipality of Niagara
414 - 100-84	523	Curriculum Vitae: Michael John Bacon, M.C.I.P.
415 - 100-44	524	Air Photo of area from Lake Ontario south to main scarp of the Niagara Escarpment, Town of Grimsby, Regional Municipality of Niagara, showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj
416 - 100-44	524	Base map of area from Lake Ontario south to main scarp of the Niagara Escarpment, Town of Grimsby, Regional Municipality of Niagara, showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj

Exhibit Number	Submission Number	Exhibit
417 - 100-44	524	Government of Canada, cut away portion of topographic map 1:50,000 for the area including Long Branch, Dundas and Grimsby, along Lake Ontario. Additional markings showing Lake Iroquois Bluff and Niagara Escarpment
418 - 100-44	524	Plan of survey showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj, Town of Grimsby, Regional Municipality of Niagara. John F. Mantle, Ontario Land Surveyor, 1976, Kerry T. Howe (Niagara) Limited
419 - 100-44	524	Map showing existing and proposed municipal watermain and sanitary sewer services, scale: 1 inch = 200 feet, November 1979, part of Town of Grimsby, Regional Municipality of Niagara. Source: W.L. Sears and Associates Limited
420 - 100-44 NEC	524	Air Photo showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj, Part Lot A, East Gore, Town of Grimsby, Regional Municipality of Niagara
421 - 100-77 NEC	527	Air Photo showing property of Glen Bigger, Part Lots 15 and 16, Concession 5 and 6, former Township of Louth, Town of Lincoln, Regional Municipality of Niagara
422 - 100-40 NEC	527	Air Photo showing property of Harry Tomarin, City of St. Catharines, Regional Municipality of Niagara
423 - 100-40	531	Survey of property owned by Harry Tomarin, City of St. Catharines, Regional Municipality of Niagara, 1982
424 - 100-61 NEC	534	Air Photo showing property of Marie Alexander, Part Lot 3, Concession 3, former Township of Louth, Town of Pelham, Regional

Exhibit Number	Submission Number	Exhibit
424 - continued		Municipality of Niagara
425 - 100-69	535	Map: Brock University Properties Study - A Proposal. Miller O'Dell and Paul, Urban and Rural Planning Consultants Inc., St. Catharines, Ontario. September 12, 1981
426 - 100-69	535	Curriculum Vitae: Robert Charles O'Dell
427 - 100-69	535	Profile plan re: Lockhart Drive to Brock University Tower, St. Catharines, Regional Municipality of Niagara
428 - 100-38	536	Preliminary Plan of property owned by Mrs. Donald R. Tolmie, Part of Lot 1, Concession 5, former Township of Pelham, now Town of Pelham, Regional Municipality of Niagara. C.J. Clarke, Niagara Limited, Ontario Land Surveyors, April 10, 1980
429 - 100-38	536	Two colored photographs showing property of Mrs. Donald R. Tolmie and surrounding lands
430 - 100-38 NEC	536	Air Photo showing property of Mrs. Donald R. Tolmie, Part Lot 1, Concession 4 and 5, Town of Pelham, Regional Municipality of Niagara
431 - 100-67	538	Air Photo showing large area of land surrounding the property of Dr. and Mrs. R. Martin, Part Lot 139, Niagara-on-the-Lake, Regional Municipality of Niagara
432 - 100-67	538	Map showing property of Dr. and Mrs. R. Martin, Part Lot 139, Niagara-on-the-Lake, Regional Municipality of Niagara
433 - 100-67 NEC	538	Air Photo showing property of Dr. and Mrs. R. Martin, Part Lot 139, Town of Niagara-on-the-Lake,

Exhibit Number	Submission Number	Exhibit
433 - continued		Regional Municipality of Niagara
434 - 100-70	541	Curriculum Vitae: Robert Charles O'Dell
435 - 100-70	541	Air Photo of subject site, property of St. David's Sand and Gravel Limited, in the City of Niagara Falls, Regional Municipality of Niagara. Flown 1979. Scale: 1 inch = 100 feet
436 - 100-70	541	Land use map with planning legend and overlay, illustrating subject site, property of St. David's Sand and Gravel Limited, in the City of Niagara Falls, Regional Municipality of Niagara
437 - 100-70	541	Curriculum Vitae: I.P. Martini
438 - 100-70	541	Paleozoic map of Niagara Falls area including property owned by St. David's Sand and Gravel Limited
439 - 100-70 NEC	541	Air Photo showing property of St. David's Sand and Gravel Limited, Part Lots 16, 17, 24 and 25, former Township of Stamford, City of Niagara Falls, Regional Municipality of Niagara
440 - 100-30	542	Map showing the location of property owners in the Town of Pelham, Regional Municipality of Niagara, giving authorization to George Weldon to represent them at the Niagara Escarpment Proposed Plan Hearing in St. Catharines, Ontario
440a - 100-62	603	A map of the Fonthill area, Exhibit 440 - 100-30, updated under the direction of H.A. Patrick Little, legal council for the KAME group of citizens and known land owners supporting the Niagara Escarpment Plan

Exhibit Number	Submission Number	Exhibit
441 - 100-30	542	Authorization by certain residents of the Pelham area of the Region of Niagara for George Weldon to represent them at the Proposed Plan Hearing in St. Catharines, Ontario
442 - 100-72	543	Ontario Geological Survey Aggregate Resources Inventory Paper 4: Aggregate Resources Inventory of Town of Pelham, Regional Municipality of Niagara, Southen Ontario. Ministry of Natural Resources 1980
443 - 100-46 NEC	546	Air Photo showing property of Mr. and Mrs. A. Paolasini, Part Lot 22, Concession 3, former Township of North Grimsby, Town of Grimsby, Regional Municipality of Niagara
444 - 100-42 NEC	547	Air Photo showing property of Rankin Gauld, Part Lots 8, 9, 12 and 13, City of Niagara Falls, Regional Municipality of Niagara, as defined by the Niagara Escarpment Commission February 15, 1982
445 - 100-7	548	Air Photo showing property of TCG Materials Limited, Town of Pelham, Regional Municipality of Niagara with added information and legend
446 - 100-129 NEC	551	Air Photo showing property of Arthur Smith, Lot 12 and Part Lot 11, Concession 6, former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
447 - 100-132 NEC	552	Air Photo showing property of James Vidal Jr., Part Lot 12, Concession 4 and 5, former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
448 - 100-59	555	Key plan of survey M-2, including property of Robert Biggar, Part Lot 2, Concession 5, Township of Clinton, County of Lincoln, 1963
449 - 100-59	555	Sketch of proposed rural residential

Exhibit Number	Submission Number	Exhibit
449 - continued		subdivision, property of Robert Biggar, Part of Lot 2, Concession 5, Town of Lincoln, Regional Municipality of Niagara, 1974
450 - 100-59	555	Air Photo, Ministry of Transportation and Communications, an area of the Town of Lincoln, including escarpment area and property of Robert Biggar, west of Regional Road 24.
451 - 100-59	555	Air Photo showing marked property of Robert Biggar, Moyer Road, Town of Lincoln, Regional Municipality of Niagara
452 - 100-59	555	Letter, dated March 9, 1979, addressed to Mr. Bob Biggar from Harold J. Flaming, Field Officer, Rural Planning, Food Land Development Branch, Ministry of Agriculture and Food
453 - 100-59	555	Air Photo showing visable rock face both west and south of Robert Biggar property, Moyer Road, Town of Lincoln
454 - 100-59 NEC	555	Air Photo showing property of Robert Biggar, Part Lot 2, Concession 5, Former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
455 - 100-80	558	Map 1, showing property of T.G. Bright & Co. Limited, City of Niagara Falls, Regional Municipality of Niagara, showing designations under the Proposed Plan of the Niagara Escarpment Commission
456 - 100-80	558	Map 2, showing property of T.G. Bright & Co. Limited, City of Niagara Falls, Regional Municipality of Niagara, showing requested changes made by T.G. Bright & Co. Limited requesting a portion of "A" and all

Exhibit Number	Submission Number	Exhibit
456 - continued		of "C" and all of "E" be deleted from the Proposed Plan
457 - 100-80	558	T.G. Bright & Co. Limited, Pictorial Presentation of Lands North of Mountain Road, West of the Queen Elizabeth Highway, City of Niagara Falls including three maps. Photographs taken by Allen R. Goar, December 1981
458 - 100-80	558	City of Niagara Falls, Planning and Development Committee report: PD/7/82 dated January 20, 1982 re: T.G. Bright & Co. Limited proposal. Certified true and correct, Deputy Clerk, February 22, 1982
459 - 100-80	558	City of Niagara Falls, Minutes of Council, January 25, 1982 re: T.G. Bright & Co. Limited, proposal. Certified true and correct, Deputy Clerk, February 22, 1982
460 - 100-80	558	Council resolution 2-82, The Regional Municipality of Niagara, February 4, 1982 re: T.G. Bright & Co. Limited lands. Certified true and correct, Clerk
461 - 100-80 NEC	558	Air Photo showing property of T.G. Bright & Co. Limited, Part Lots 6, 7, 13, 14, 27 and 28, former Township of Stamford, City of Niagara Falls and Part Lot 136, Town of Niagara-on-the-Lake, Regional Municipality of Niagara
462 - 100-130 NEC	560	Air Photo showing property of Alfred Blaney, Part Lot 21, Concession 4, Town of Lincoln, Regional Municipality of Niagara
463 - 100-131 NEC	561	Air Photo showing property of Steve Armbruster, Part Lot 20, Concession 4, Town of Lincoln, Regional Municipality of Niagara
464 - 100-126 NEC	562	Air Photo showing property of G.

Exhibit Number	Submission Number	Exhibit
464 - continued		Robert Hambleton, Part Lot 2, Concession 6, Town of Lincoln, Regional Municipality of Niagara
465 - 100-31	563	Site plan showing property of Mrs. M.L. Bartsch, Town of Lincoln, with three overlays showing Generalized land use, official plans and the Niagara Escarpment Commission Plan
466 - 100-31	563	Curriculum Vitae: Robert James Miller
467 - 100-31	563	Curriculum Vitae: Jerome M. Hagarty
468 - 100-31	563	Air Photo showing property of Mrs. M.L. Bartsch, Town of Lincoln
469 - 100-31	563	Air Photo showing property of Mrs. M.L. Bartsch, Part Lot 15, Concession 5, former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
470 - 100-43 NEC	564	Air Photo showing property of Blair Hansler, Part Lot 3, Concession 5, Town of Pelham, Regional Municipality of Niagara
471 - 100-27 NEC	565	Air Photo showing property of James B. Thompson, Part Lot 7, Concession 5, former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
472 - 100-128 NEC	566	Air Photo showing property of Kampco Recreation Ltd., Part Lot 17 and 18, Concesssion 5, former Township of Clinton, Town of Lincoln, Regional Municipality of Niagara
473 - 100-65 NEC	594	Air Photo showing property of William and Rose Sametz, Part Lot 1, Concession 2, Town of Grimsby, Regional Municipality of Niagara
474 - 100-133 NEC	596	Air Photo showing property of Randy

Exhibit Number	Submission Number	Exhibit
474 - continued		Melnechuk, Part Lot 23, Concession 6, Town of Lincoln, Regional Municipality of Niagara
475 - 100-62	603	MAP 1 - Paleozoic Geology of the Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
476 - 100-62	603	MAP 2 - Pleistocene Geology of the Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
477 - 100-62	603	MAP 3 - Alternative Escarpment Corridors. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
478 - 100-62	603	MAP 4 - Earth Science Features, Pelham Area. Steed and Evans Ltd. Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
479 - 100-62	603	MAP 5 - Aquatic Resources, Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
480 - 100-62	603	MAP 6 - Natural Features, Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
481 - 100-62	603	MAP 7 - Scenic and Historic Features, Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
482 - 100-62	603	MAP 7A - Visibility of The Fonthill Edge. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario

Exhibit Number	Submission Number	Exhibit
483 - 100-62	603	MAP 8 - Resources in the Vicinity of the Escarpment. Steed and Evans Ltd., Fonthill Pit, Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
484 - 100-62	603	MAP 9 - Aggregate Resources, Fonthill Kame. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
485 - 100-62	603	MAP 10 - Lands Available for Mining, Fonthill Kame. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
486 - 100-62	603	Ministry of Natural Resources, Ontario Geological Survey, Preliminary Map P. 2399, Recommended High Priority Mineral Resource Protection Areas, Proposed Niagara Escarpment Planning Area (PNEPA), Scale 1:250,000 dated 1981
487 - 100-62	603	MAP 11 - Agricultural Capability, Fonthill Kame. Steed and Evans Ltd., Fonthill Pit. Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
488 - 100-62	603	MAP 12 - Alternative Plan for the Niagara Escarpment, Pelham Area, Steed and Evans Ltd., Fonthill Pit, Scale 1:12500. Ecologistics Ltd., Kitchener, Ontario
489 - 100-62 NEC	603	Vegetation and Replanting report prepared by Dr. Derek J. Coleman, January 1980 for presentation at a Niagara Escarpment Commission development control permit application hearing. Field work done in 1978
490 - 100-62 NEC	603	Nine Items: A series of nine maps, Paleozoic Geology, Ontario Division of Mines,

Exhibit Number	Submission Number	Exhibit
490 - continued		Ministry of Natural Resources: (1) Map 2344, Niagara, Paleozoic Geology (2) Map 2343, Grimsby, Paleozoic Geology (3) Map 2336, Hamilton, Paleozoic Geology (4) Map 2337, Brampton, Paleozoic Geology (5) Map 2342, Guelph, Paleozoic Geology (6) Map 2338, Bolton, Paleozoic Geology (7) Map 2339, Orangeville, Paleozoic Geology (8) Map 2340, Dundalk, Paleozoic Geology (9) Map 2341, Collingwood - Nottawasaga, Paleozoic Geology
491 - 100-62	603	Terrain Map 1 - Fonthill Area, Hydrogeologic Investigation for Steed and Evans Ltd., Scale 1:25,000. Project 78:19 Gartner Lee Associates Limited
492 - 100-62	603	Bedrock Topography Map 2 - Fonthill Area, Hydrogeologic Investigation for Steed and Evans Ltd., Scale 1:25,000. Project 78:19 Gartner Lee Associates Limited
493 - 100-62	603	Ontario Geological Survey, Preliminary Map P.2400 Bedrock Topography Series. Niagara and Niagara-on-the-Lake Area. Issued 1981. Additional markings by E. Grant Anderson: approximate location of Steed and Evans Ltd.'s property
494 - 100-62	603	Surface Drainage Map 3 - Fonthill Area, Hydrogeologic Investigation for Steed and Evans Ltd. Scale 1:25000. Project 78:19 Gartner Lee Associates Limited
495 - 100-62 NEC	603	Curriculum Vitae: Dr. Peter Peach

Exhibit Number	Submission Number	Exhibit
496 - 100-62 NEC	603	Fonthill Hydrogeologic Study, Lots 4 and 5, Concession 6, Town of Pelham for Steed and Evans Ltd., Gartner Lee Associates Limited, Project No. 78:19. September 1978
497 - 100-62	603	Topographic and Geologic Sections, Pelham Area (to scale), drawn under the supervision of Grant Anderson and Andrew Cooper, Gardner Lee Associates Limited
498 - 100-62	603	List of completed International Biological Program/CT checklists for Ontario, obtained from the Ministry of Natural Resources by Dr. Derek J. Coleman
499 - 100-62	603	St. John's Conservation Area, International Biological Checksheet
500 - 100-62 NEC	603	Topographic Map: Niagara, Ontario, Scale 1:50,000 - Contour interval 25 feet, Department of National Defence 30M/3W Edition 4, MCE Series A 751. Additional markings on map
501 - 100-62 NEC	603	Drainage Divides, In Vicinity of Steed and Evans property, Town of Pelham, Regional Municipality of Niagara. Topographic map 1:25,000 - blown up 10 times, with legend
502 - 100-62	603	Guidelines on the Man-Made Heritage Component of Environmental Assessments, prepared by John Weiler, Historical Planning and Research Branch, Ontario Ministry of Culture and Recreation. September 1980
503 - 100-62	603	Curriculum Vitae: Andrew John Cooper
504 - 100-62	603	Preliminary Map P.764, Geological Series, Quaternay Geology of the Niagara Area. Scale 1:50,000. Division of Mines, Ministry of Natural Resources, 1972. B.H. Feenstra

Exhibit Number	Submission Number	Exhibit
505 - S 200-44	604	Alternative 1, Industrial and Commercial Land Use Proposal, Watergate Holdings, South of Highway No. 5, Township of Flamborough, Regional Municipality of Hamilton-Wentworth. Montague Pond Associates Limited, Planning Consultants
506 - S 200-44 NEC	604	Air Photo showing property of Watergate Investments Ltd., Part Lot 12, Concession 3, Township of Flamborough, Regional Municipality of Hamilton-Wentworth
507 - S 200-47 NEC	605	Air Photo showing property of R.T. Sherwin, Part Lots 23 and 24, Concession 2, Part Lot 23, Concession 3, Township of Flamborough. Regional Municipality of Hamilton-Wentworth
508 - S 300-50	608	Niagara Escarpment Commission Proposed Plan Map 3 - Regional Municipality of Halton, with additional markings by Malcolm Martin re: Mohawk Quarries Limited property
509 - S 300-50	608	Curriculum Vitae: Dr.A.G. McLellan
510 - S 300-50 NEC	608	Air Photo showing property of Mohawk Quarries Limited and Campbellville Gravel Supply Limited, Lot 8, Concession 4, Town of Milton (former Township of Nassagaweya), Regional Municipality of Halton
511 - S 300-58	609	Map of Town of Halton Hills (Esquesing Rural Area) with additional red markings indicating properties of members of the Speyside Area Ratepayers Association and markings indicating the property of Standard Aggregates Limited
512 - S 300-58	609	Niagara Escarpment Commission Proposed Plan Map 3 - Regional

Exhibit Number	Submission Number	Exhibit
512 - continued		Municipality of Halton. Additional markings placed on map by the Speyside Ratepayers Association indicating the property of Standard Aggregates Limited
513 - S 300-127	669	Niagara Escarpment Commission Preliminary Proposals Map showing Regional Municipality of Halton with additional markings by Tom C. Foster indicating his property
514 - S 300-127 NEC	669	Air Photo showing property of Tom C. Foster, E 1/2 Lot 4, Concession 2 NS, City of Burlington, Regional Municipality of Halton
515 - S 300-64 NEC	674	Air Photo showing properties of Di Pasquale, Zarratto and Papais, Part Lot 11, Concession 1, Town of Milton; Middlebrook and Esson, Part Lot 12, Concession 1, Town of Milton; Loach and Lean, Part Lot 13, Concession 1, Town of Milton; all within the Regional Municipality of Halton
516 - S 300-124	676	Curriculum Vitae: Clarence Riepma
517 - S 300-124	676	Air Photo of the Ronald and Jeanne Shepherd property, City of Burlington, accompanied by a photograph of the subject property
518 - S 300-124	676	A series of four photographs, property of Ronald and Jeanne Shepherd, City of Burlington (a) photo of swimming pool (b) photo of pavillion (c) photo of overnignt camp use (d) photo of forest growth in area
519 - S 300-124 NEC	676	Air Photo showing property of Ronald and Jeanne Shepherd, Lot 24, Concession 2 NDS, City of Burlington, Regional Municipality of Halton
520 - S 300-124	676	Certified true copy of the City of

Exhibit Number	Submission Number	Exhibit
520 - continued		Burlington Comments Regarding The Proposed Plan for the Niagara Escarpment. City of Burlington, February 14, 1980
521 - S 100-142 NEC	677	Air Photo showing property of Alistair McKinlay, Part Lot 22, Concession 2, Town of Grimsby, (former Township of North Grimsby), Regional Municipality of Niagara
522 - S 300-50	608	Topographic Analysis, Hilton Falls Complex, prepared by the Halton Region Conservation Authority
523 - S 300-50	608	Topographic Analysis, Hilton Falls Complex, Halton Region Conservation Authority. Additional markings by Dr. A.G. McLellan to show a line at a 300 metre distance from the scarp, the line crossing a corner of the Mohawk Quarries subject property
524 - 300-34 NEC	359 and 360	Air Photo showing property of J. Bryan Vaughan and Dorothy Truax Vaughan, Part Lots 28 and 29, Concession 11, Town of Halton Hills (former Township of Esquesing) and the property of John H. Aiken, Part Lot 28, Concession 11, Town of Halton Hills, Regional Municipality of Halton
525 - S 800-22 NEC	682	Air Photo showing property of Mrs. W.I. Watson, Lots 44 and 45, Concession 1, EBR, Township of St. Edmunds, County of Bruce
526 - S 800-59 NEC	687	Air Photo showing property of Rodger and Mary Schwass, Part Lot 29, 30, 31, Concession 7 EBR, Township of Lindsay, County of Bruce
527 - S 800-32 NEC	690	Air Photo showing property of Jerry Rutherford, Part Lot 15, Concession 7, EBR, Township of Eastnor, County of Bruce

Exhibit Number	Submission Number	Exhibit
528 - S 700-98 NEC	692	Air Photo showing property of Hubert Cheshire, Part Lot 26, Colpoys Range, Township of Keppel, County of Grey
529 - S 700-88 NEC	694	Air Photo showing property of Donald Douglas Halls, Township of Keppel, County of Grey
530 - S 500-107 NEC	698	Air Photo showing property of Mr. and Mrs. Mervyn Ferris, Part Lots 13 and 14, Concession 1 and 2 WHS, Township of Mulmur, County of Dufferin
531 - S 500-31 NEC	699	Air Photo showing property of Keith J. McNenly, Part E 1/2 Lot 6, Concession 1 WHS, Township of Mono, County of Dufferin
532 - 500-78 NEC	701	Air Photo showing property of Mr. and Mrs. H.P. Graham, East 1/2 Lot 31, Concession 5 EHS, Township of Mulmur, County of Dufferin
533 - S 500-79 NEC	702	Air Photo showing property of Robert Wilkinson, Part East 1/2 Lot 32, Concession 1 EHS, and Part West 1/2 Lot 32, Concession 2 EHS, Township of Mulmur, County of Dufferin
534 - S 500-81 NEC	703	
534 - S 500-81 NEC	703	Air Photo showing property of Wilson R. Still, Part West 1/2 Lot 8, Concession 3, EHS, Township of Mono, County of Dufferin
535 - S 500-98 NEC	704	Air Photo showing property of W. Sloam, Pt. E 1/2 Lot 20, Concession 1 EHS, Township of Mulmur, County of Dufferin
536 - S 500-9	705	Township of Mono, Map 1, County of Dufferin. Additional markings indicate "land supported by public funds"
537 - S 500-9	705	Map, Township of Mulmur, County of Dufferin. Additional markings indicate

Exhibit Number	Submission Number	Exhibit
537 - continued		lands owned by the following: "Government, School, Dufferin County and Mulmur Township"
538 - S 500-9	705	Map of the Township of Mulmur, County of Dufferin. Additional markings indicate land "owned by resident farmer" and "rented by resident/area farmer". Source 1981 assessment roll
539 - S 500-9	705	Township of Mono, Map 1, County of Dufferin. Additional markings indicate land "owned by resident farmer" and "rented by resident/ area farmer". Source 1981 assessment roll
540 - S 500-3	706	A section of the Niagara Escarpment Commission Proposed Plan, Map 4, County of Dufferin: Township of Mono, with additional markings indicating 52 property owners (43 in proposed plan and 9 outside proposed plan) supporting the Proposed Plan
541 - S 500-7 NEC	711	Two Items: (a) Air Photo showing property of James White, Part W 1/2 Lot 31, Concession 3 EHS, Township of Mono, County of Dufferin (b) Air Photo showing property of James White, Part E 1/2 Lot 2, Concession 1 EHS, Township of Mulmur, County of Dufferin
542 - S 600-36 NEC	713	Air Photo showing property of Curtis Royal, Part Lot 1, Concession 6 and Part Lot 2, Concession 5, Township of Nottawasaga, County of Simcoe
543 - S 600-38 NEC	714	Air Photo showing property of Clifford Flack, Part S 1/2 Lot 5, Concession 6, and W 1/4 Lot 4, Concession 5, Township of Nottawasaga, County of Simcoe

Exhibit Number	Submission Number	Exhibit
544 - S 600-39 NEC	715	Air Photo showing properties of Glen and Paul Millsap, E 1/2 Lot 2, Lot 3 and 4 and E 1/2 Lot 6, Concession 6, Township of Nottawasaga, County of Simcoe
545 - S 600-46 NEC	716	Air Photo showing properties of Ronald Coulter, W 1/2 Lot 2, Concession 6, E 1/2 Lot 1, Concession 7, Township of Nottawasaga, County of Simcoe
546 - S 600-40 NEC	717	Air Photo showing property of Robert Giffen, Part Lots 15 and 16, Concession 7, and Part W 1/2 Lot 16, Concession 7, Township of Nottawasaga, County of Simcoe
547 - S 600-41 NEC	718	Air Photo showing property of Elwood Culham, Lot 14, Concession 11, Township of Nottawasaga, County of Simcoe
548 - S 600-43 NEC	719	Air Photo showing property of James Shields, S 1/2 Lot 18, Concession 9, Township of Nottawasaga, County of Simcoe
549 - S 600-42 NEC	720	Air Photo showing property of Brink Arnold, S 1/2 Lot 11, Concession 9, Township of Nottawasaga, County of Simcoe
550 - S 600-44 NEC	721	Air Photo showing property of Charles McLeod,
551 - S 600-21 NEC	723	Air Photo showing property of Darrel Taylor, West 1/2 Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe
553 - S 600-34 NEC	724	Air Photo showing property of David Ruttan, Lot 2 and Part Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe
554 - S 600-51 NEC	725	Air Photo showing property of Harold Scott, Part Lot 3, Concession

Exhibit Number	Submission Number	Exhibit
554 - continued		12, Township of Nottawasaga, County of Simcoe
555 - S 600-35 NEC	726	Air Photo showing property of George Shepherd, Part Lot 7, Concession 12, Township of Nottawasaga, County of Simcoe
556 - S 600-37 NEC	727	Air Photo showing property of Clifford Weston, Part N 1/2 Lot 6, Concession 4, Township of Nottawasaga, County of Simcoe
557 - S 600-47 NEC	728	Air Photo showing property of Carmarthan Lake Farms Ltd., Lots 19-23, Concession 12, S 1/2 Lot 21, Concession 11, Township of Nottawasaga, County of Simcoe
558 - S 600-50 NEC	729	Air Photo showing property of William Latimer, Part W 1/2 Lot 6, Concession 6, Township of Nottawasaga, County of Simcoe
559 - 700-72	405	Certified true copy of Resolution No. 7, dated May 25, 1982, Beaver Valley Planning Board, re: The firm of Ecological Services for Planning to represent this Board at the Niagara Escarpment Proposed Plan Hearing
560 - 700-72	405	Certified true copy of a Resolution dated June 5, 1982, Township of Artemesia, accepting the proposed Secondary Plan of the Beaver Valley study and that Ross Arthur be appointed to present same at the Niagara Escarpment Proposed Plan Hearing
561 - 700-72	405	Certified true copy of a Resolution dated June 3, 1982, Township of Euphrasia, approving in principal the results of the Technical Report and authorizing Ross Arthur to make such a presentation at the Niagara Escarpment Proposed Plan Hearing

Exhibit Number	Submission Number	Exhibit
562 - S 700-4 NEC	743	Air Photo showing properties of Dr. Raymond O. Heimbecker, South 1/2 Lot 7, Concession 2, and Part North 1/2 Lot 7, Concession 3, Township of Collingwood, County of Grey

APPENDIX (I)

INDEX

LIST OF SUBMISSIONS

APPENDIX (I) INDEX

APPENDIX (I)

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

Name	File Number	Submission Number	Volume Number
Abernethy, Donald	G 700-61	174	2
	700-81	454	4
Acres Consulting Services Limited	G 700-23	201	2
Acton High School	G 200-34	46	2
Ad Hoc Committee of Burlington Citizens	300-59	365	3
Adam, J.G.	600-3	476	4
Adam, Ms. Monica	200-39	107	3
Aggregate Producers Association of Ontario	G 700-14	216	2
Aiken, John H.	300-61	360	3
Albemarle, Township of	800-47	374	4
Aldershot High School	G 200-88	38	2
Alexander, John	400-8	237	3
Alexander, Mrs. Marie	100-61	534	3

Name	File Number	Submission Number	Volume Number
Allarco Developments Ltd.	200-1	101	3
Alpine Club of Canada	300-10	362	3
Ancaster Outers Klub	G 200-74	40	2
Ancaster, Town of	200-28	82	3
Andreychuk, Nick	100-28	515	3
Angle, Mrs. Marion	100-92	520	3
Armbruster, Steve	100-131	561	3
Arnold, Brink	S 600-42	720	2
Aspen Resorts Inc.	500-36	255	4
Association of Counties and Regions of Ontario	G 700-18	126	2
Association of Ontario Land Surveyors	G 700-108	185	2
Association of Peel People Evaluating Agricultural Land	400-6	246	3
Baldus, Bernd	S 800-60	691	4
Ball, Lloyd	700-6	422	4
Bandi, Roman	300-57	358	3
Barac, Mrs. Mirka	S 300-80	626	3
Barac, Stanko	S 300-80	625	3
Barfoot, Clifford	800-42	386	4
Barnes, Arthur G.	700-23	457	4
Barnes, Fred	700-85	424	4
Baron, Garth	S 700-114	730	4
Baran, Margaret and Steven	100-84	523	3
Bartsch, M.L.	100-31	563	3
Bassett, Dr. W.G.	S 700-115	731	4

Name	File Number	Submission Number	Volume Number
Bayly, Mrs. Laura	S 300-109	650	3
Beamer, Douglas	100-13	499	3
Beattie, Dr. Catharine	200-25	95	3
Beaver Valley Heritage Society	S 700-113	740	4
Belbeck, Elroy	700-26	465	4
Beldon, James	S 700-16	732	4
Best, G.	600-18	480	4
Biason, Mrs. Mary	300-53	353	3
Biasuitti, Mr. and Mrs. L.	S 300-126	652	3
Bibby, Douglas J.	500-25	259	4
Biggar, Robert	100-59	555	3
Bigger, Glen	100-77	527	3
Bilbe, Neil	100-122	539	3
Bilton, Ken	S 300-71	610	3
Bilton, Marjorie	S 300-72	611	3
Bissell, Charles	100-108	580	3
Blaney, Alfred	100-130	560	3
Blaser, Eric	700-89	437	4
Bleguis, Jeffrey	G 200-23	61	2
Blue Mountains Bruce Trail Club	G 700-66	172	2
	600-15	484	4
	700-46	459	4
Blue Mountain Resorts Limited and Craigleith Development Limited	G 700-49	171	4
	700-64	471	4
Bodnar, Andrew and Daly, Alan	200-26	97	3
Book, George	300-49	346	3

Name	File Number	Submission Number	Volume Number
Bookman, Mrs. V	600-27	481	4
Booth, Mrs. Norma E.L.	400-5	243	3
Bothwell, Gordon M.	G 700-65	137	2
Boycott, Mrs. Deborah	S 300-78	618	3
Boyne River Natural Science School	500-73	312	4
Bridge, Ivor C.	800-7	375	4
Bright, T.G. & Co. Limited	100-80	558	3
Brock University	100-69	535	3
Bronder, Marianne	S 300-100	642	3
Brown, Broden	500-54	269	4
Bruce, County of	G 700-13	140	2
	800-46	373	4
Bruce Peninsula Protection Association	G 700-50	144	2
	800-25	393	4
Bruce Peninsula Snowmobile Trail Association	G 700-39	213	2
Bruce Peninsula Sportman's Association	G 700-35	146	2
Bruce Trail Association	G 200-7	21	2
	700-60	463	4
	800-2	388	4
Bruno, M.	500-21	275	4
Bumstead, Raymond	G 700-78	191	2
Bunner, Freda	G 700-2	210	2
Bunyon, Mr. and Mrs. John	200-32	113	3
Burlington, City of	G 200-35	55	2
	300-16	327	3

Name	File Number	Submission Number	Volume Number
Butler, Mrs. Charlene	G 200-50	23	2
	500-16	260	4
Bye, Mervyn G. and Philip E.	S 700-125	695	4
Byng, Bryan	G 200-86	73	2
Caledon Hills Bruce Trail Club	400-11	241	3
Caledon Ratepayers' Association Inc.	400-19	238	3
Caledon, Town of	400-24	228	3
Cambray Investments Ltd.	700-40	467	4
Campbell, Malcolm M.	G 700-142	208	2
	800-50	399	4
Campbell, Mervin	700-61	464	4
Campbell, Robert	G 700-71	180	2
Canadian Environmental Law Association	G 700-134	175	2
Canadian Society of Environmental Biologists (Ontario Chapter)	G 700-136	169	2
Carlisle, Ms. Nina B.	G 700-44	222	2
Carmarthan Lake Farms Limited	S 600-47	728	4
Casson, David	S 300-26	665	4
Caulfield-Browne, G. William	G 700-27	147	2
Ceaser, Mr. and Mrs. Ronald	800-15	395	4
Cecile, Charles	300-54	331	3
Cedar Springs Community Club	300-8	332	3
Central Ontario Chapter, Canadian Institute of Planners	G 700-132	164	2

Name	File Number	Submission Number	Volume Number
Chairmen's Committee of the Conservation Authorities of Ontario	G 700-130	154	2
Chambers, A. Barbara	100-48	514	4
Charlebois, J.P.	G 200-91	43	2
	300-36	356	3
Cheshire, Hubert	G 700-31	138	2
	S 700-98	692	4
Chetwynd, Peter	100-1	496	3
Chisholm, J.L.	300-51	347	3
Chornook, Mrs. V.	S 300-101	644	3
Clark, John	800-10	381	4
Clear Hamilton of Pollution	G 200-11	24	2
Clock Investments Limited	200-14	81	3
Coalition on the Niagara Escarpment	G 200-9	49	2
	100-9	595	3
	300-3	364	3
	400-7	248	2
	S 500-3	706	4
	S 700-5	742	4
	S 800-6	679	4
Cole, Cecil	700-38	453	4
Collingwood and District Real Estate Board	G 700-99	211	1
Conservation Council of Ontario	G 700-55	199	2
Cooper, Douglas	G 200-53	20	2

Name	File Number	Submission Number	Volume Number
Cooper, John	200-30	89	3
Corlett, Mr. and Mrs. Gary H.	500-64	300	4
Costain Limited	100-24	508	3
Costello, Harold E.	100-16	502	3
Coulter, Ronald	S 600-46	716	4
Coutts, William	600-16	477	4
Coward, Mr. and Mrs. R.	700-8	423	4
Credit Valley Conservation Authority	G 200-59	13	2
	300-21	329	3
	400-13	242	3
Cruikshank, Ross	700-57	462	4
Csets, Val	100-135	599	3
Culham, Elwood	S 600-41	718	4
Cullen, Donald	500-37	262	4
Dailey, Thomas, Earle and Donald	700-18	445	4
Daley, Dorothy	100-107	579	3
Davenport, Fred	700-12	428	4
Davidson, Harold	G 700-111	149	2
	500-22	288	4
Davison, Ralph	500-24	279	4
Dawns, Mr. and Mrs. L.	200-36	103	3
Deakins, William and Ruby	700-105	413	4
Deanfield Farms Limited	100-60	509	3
Dearie Contracting Limited	700-29	438	4
Derby, Township of	700-103	407	4

Name	File Number	Submission Number	Volume Number
De Rycke, Guido	S 300-98	641	3
Desroches, Ms. Helen	200-7	115	3
Devesne, B.	100-79	557	3
Devil's Glen Ski Club	600-29	488	4
Devries, John	S 300-114	661	3
Devries, Mildred	S 300-115	662	3
Diamond, David E.	200-6	108	3
Diamond, Mr. and Mrs. Phil	S 300-110	651	3
Di Gregorio, Elizabeth	200-41	105	3
Dinsmore, David	700-80	449	4
Di Pasquale, Zaratto and Papais	S 300-64	672	3
Dittrich, C.D.	G 700-140	227	2
Dmytrow, Stephen	100-75	501	3
Doberstein, Albert, J. Sr.	100-39	528	3
Dodds, Earl	500-62	298	4
Dodds, L.S.	S 500-61	700	4
Dodokin, Mrs. Gail S.	300-1	361	3
Duff, J.C. Limited	300-9	370	3
Dufferin Aggregates	300-30	367	3
Dufferin Federation of Agriculture	G 700-69	187	2
	500-40	278	4
Dufferin-Hi-Land Bruce Trail Club	G 700-45	195	2
Dukeshire, Victor L.	G 200-82	5	2
	200-17	88	3

Name	File Number	Submission Number	Volume Number
Dundana Homes Limited	S 200-46	675	3
Dunford, Roy E.	200-10	87	3
Edelbrook Bros. Ltd.	500-4	320	4
Eichmanis, Eric	100-78	526	3
Elliott, H. Vincent	G 700-68	159	2
	S 800-1	678	4
Ellis G.R. and Betty D.	100-45	503	3
Elsley, W.B.	S 300-125	664	3
Esson, Mabel and Charles and Middlebrook, Edgar and Neil	S 300-66	674	3
Fairles, Mr. and Mrs. D.W.	S 300-105	646	3
Falls, Douglas J.T.	S 300-87	630	3
Falls, Jean	S 300-60	614	3
Farnell, Mrs. Margaret B.	500-46	285	4
Federation of Ontario Hiking Trail Associations	G 700-47	162	2
Federation of Ontario Naturalists	G 200-1	12	2
	300-22	355	3
	700-41	447	4
	S 800-24	680	4
Fells, Mr. and Mrs. A.G.	S 500-102	707	4
Fenwood Developments Limited	G 200-58	1	2
	200-16	84	3
Ferris, Howard	500-85	321	4
Ferris, Mr. and Mrs. Mervyn	S 500-107	698	4
Fishburn, Mrs. Helen	100-104	584	3

Name	File Number	Submission Number	Volume Number
Fitzgerald, Ms. Margery	500-44	281	4
Flack, Clifford	S 600-38	714	4
Flamborough, Township of	G 200-29	25	2
	200-21	94	3
Flanigan, Arnold	700-48	450	4
Fletcher, Ms. Mary Jane	200-33	112	3
Fockler, K.H.	400-10	235	3
Focus Developments Ltd.	300-44	349	3
Forbes, Harold M.	G 700-38	152	2
	S 800-18	681	4
Foster, T.C.	S 300-127	669	3
Foundation for Aggregate Studies	G 700-143	215	2
	100-72	543	3
	300-55	363	3
	S 400-25	697	3
	500-56	289	4
Fowler, Mr. and Mrs. D.B.	500-70	302	4
Fox, Murray	700-84	416	4
Fox, Richard	800-27	403	4
Francescut, Danny A.	700-96	448	4
Franklin, Dr. John	500-60	297	4
Fretz, Jim	100-36	512	3
Gallaugher, Mrs. Evelyn	500-91	304	4
Gallaugher, Howard	500-55	270	4
Gallaugher, Mrs. Jaunita	500-94	306	4

Name	File Number	Submission Number	Volume Number
Gardiner, Mr. and Mrs. John	200-37	102	3
Gariepy, Doreen B.	S 500-103	710	4
Gariepy, Kenneth A.	500-67	299	4
Gattis, Ronald	800-41	383	4
Gauld, Rankin	100-42	547	3
Georgian Group	400-4	231	3
Gertler, Leonard O.	G 700-112	163	2
Gibson, Dr. James A.	100-32	533	3
Giffen, Robert	S 600-40	717	4
Gillies, Allan	700-2	425	4
Gilmour, W.A.	G 200-56	67	2
Gisbrenner, Ms. Linda	200-34	111	3
Glendale Golf & Country Club Limited	200-22	92	3
Glooschenko, Ms. Valanne	G 200-13	32	2
Goldfan Holdings Limited	300-41	357	3
Goldman, Murray	500-32	274	4
Goldman, Ralph and Donna	500-50	290	4
Goodwin, K.D.	500-48	282	4
Graham, Mr. and Mrs. H.P.	S 500-78	701	4
Grandoni, Miss Jean	100-74	544	3
Grandoni, Peter	100-73	559	3
Grant, Mr. and Mrs. Donald J.	G 700-12	124	2
	800-33	377	4
Grant, Mr. and Mrs. Peter	100-110	577	3
Greenfield, David	300-20	335	3

Name	File Number	Submission Number	Volume Number
Grey, County of	G 700-97	117	2
	700-72	405	4
Griffith, J.T.	100-125	525	3
Grimsby, Town of	100-26	491	3
Grove, Marvin	G 200-19	60	2
Halbert, Keith	500-15	319	4
Halls, Donald D.	S 700-88	694	4
Halton Field Naturalists	400-3	245	3
	300-7	339	3
Halton Hills, Town of	G 200-90	57	2
	300-31	328	3
Halton Region Conservation Authority	G 200-43	36	2
	300-45	369	3
Halton, Regional Municipality of	G 200-24	58	2
	300-11	326	3
Hambleton, G. Robert	100-126	562	3
Hamill, Stewart E.	G 700-118	184	2
	700-90	451	4
Hamilton, City of	200-9	76	3
Hamilton, George	700-99	414	4
Hamilton Naturalists Club	G 200-16	74	2
	100-53	600	3
Hamilton Region Conservation Authority	G 200-5	34	2
	200-2	77	3

Name	File Number	Submission Number	Volume Number
Hamilton, Mr. and Mrs. R.M.P.	500-71	276	4
Hamilton-Wentworth, Regional Municipality of	200-5	78	3
Hansler, Blair W. and John A.	100-43	564	3
Hardman, Mrs. V.	500-87	307	4
Hardy, Mr. and Mrs. Alan	200-35	110	3
Harmes, Mrs. Ingrid	100-101	588	3
Harris, George	400-25	247	3
Harrison, Earle	S 300-77	617	3
Harrison, Ken and Sharon and Fiddlement, Len and Keywan, William	500-19	266	4
Harshman, G. Frank	G 200-76	10	2
Hawkins, Ian	500-12	286	4
Heimbecker, Dr. and Mrs. Paul	600-24	486	4
	S 700-4	743	4
Henry, Gordon	500-68	293	4
Henry, Kenneth and Pauline	500-58	322	4
Henry, Miss Norah	500-69	294	4
Hepburn, William	800-37	384	4
Hewitt, Clarence	G 200-92	45	2
	300-40	345	3
Highfields Farm Limited	400-17	240	3
Hildebrandt, Charles	G 200-36	63	2
Hill, Gordon T.	G 700-8	218	2
Hill, Mr. and Mrs. Gordon T.	800-29	392	4
Hill, Rowland	100-121	569	3

Name	File Number	Submission Number	Volume Number
Hindson, David	G 700-125	205	2
Hockley Valley Improvement Association	500-17	292	4
Hodgson, George	500-89	273	4
Holland, Township of	G 700-56	170	2
Horner, Bert	500-53	268	4
Horton, Mrs. L.	500-65	301	4
Howes, J. Douglas	G 200-54	39	2
	500-18	315	4
Howes, Mrs. Patricia	500-72	303	4
Howey, A.E.	100-88	601	3
Hubbard, Mrs. D.	S 100-141	657	3
Hurren, Harold	300-14	341	3
Iacobelli, Mr. Celeste	S 200-48	606	4
Iroquoia Bruce Trail Club	200-15	91	3
Islington Investments Limited	300-19	350	3
Isthmus Bay Property Owners' Association	G 700-11	122	2
Jackson, Dr. John N.	G 200-18	2	2
	100-56	537	3
Jade Mountain Estates Ltd.	500-35	272	4
Jakymin, Stephen	100-47	545	3
Jarvis, Mrs. Margaret	500-97	314	4
Jenkins, Innis	800-4	376	4
Johnson, Joseph W.	G 700-60	125	2
	S 800-58	686	4

Name	File Number	Submission Number	Volume Number
Johnson, Raymond and Barbara	100-115	568	3
Johnson, Wayne	100-117	597	3
Johnston, Alex	G 700-34	145	2
	700-68	426	4
Johnston, John R.	500-83	325	4
Jones, Mrs. Joyce	500-11	257	4
Jones, Thomas N.	G 700-87	193	2
	700-65	420	4
Jones, Richard C.	G 700-93	173	2
Jurss, Alfred	G 200-42	65	2
	300-42	354	3
Kaiser, Hubert	500-74	271	4
Kampco Recreation Limited	100-128	566	3
Kendal, Mr. and Mrs. Harold	500-52	291	4
Kenzie, James B.	S 300-94	637	3
Keppel, Township of	G 700-33	118	2
	700-87	406	4
Kindrick, Bryce	S 800-12	688	4
King, Albert	700-112	468	4
Kirk, Malcolm	G 200-32	9	2
Kitchener-Waterloo Field Naturalists	G 200-25	16	2
Kleefeld, Hans	G 700-119	733	2
Knisley, Kenneth and Edna	S 100-139	655	3
Koechlin, Goetz	500-29	311	4
Kramer, Charlie	700-104	473	4

Name	File Number	Submission Number	Volume Number
Kropschot, Mrs. Robert	800-56	401	4
Landherr, Mrs. Carrie	700-54	432	4
Landherr, Ray	700-53	431	4
Laughton, Mr. and Mrs. Greg	100-93	549	3
Lathrop, D.W.	S 100-138	654	3
Latimer, William	S 600-50	729	4
Lawson, Mrs. Mary	400-15	230	3
Leeson, Mrs. Leta	S 500-10	712	4
Lefebure, John V.	G 200-93	35	2
Legros, Edward P.	100-17	505	3
Lemcke, Ivan	G 700-63	186	2
	800-31	380	4
Lerner, Mrs. Frances	800-48	389	4
Lesich Construction Company Limited	700-47	409	4
Lesich, Joseph	G 700-67	155	2
Leverty, Robert	G 700-103	157	2
Leverty, Robert and Michael	700-95	739	4
LeWarne, Miss Jane C.	G 200-85	72	2
Libby, A.H.	800-44	387	4
Lincoln, Town of	G 200-38	31	2
	100-52	492	3
Loach, Gerald O. and Lean, R.	S 300-65	673	3
Lobban, Mrs. Joan	700-28	456	4
Local Architectural Advisory Committee - Cookstown	G 700-32	221	2

Name	File Number	Submission Number	Volume Number
Long, Robert J.	S 500-104	708	4
Lookout Point Golf and Country Club Limited and Concerned Citizens for the Fonthill Kame Moraine	G 200-67	42	2
	100-30	542	3
Lord Elgin High School	G 200-44	18	2
Loucks, Dr. Charles H.	800-52	390	4
Lowcock, Mrs. Murial	G 700-85	196	2
	500-34	253	4
Lyons, James	400-9	233	3
MacKenzie, Mrs. Lois	100-91	522	3
MacKenzie, Ms. Margaret	G 200-47	66	2
Mackie, Verdon	800-13	378	4
MacMillan A.D.	500-77	309	4
MacRae, John E.	G 200-65	70	2
MacQueen, Donald	700-108	470	4
MacRae, Dr. Donald C.	100-123	567	3
Main, Neil	100-96	570	3
Martin, Amos C. Ltd.	300-27	371	3
Martin, Frank J.	200-27	98	3
Martin, Kenneth E.	G 200-81	1	2
	200-8	83	3
Martin, Mrs. Madge	100-98	589	3
Martin, Dr. and Mrs. R.	100-67	538	3
Mathais, Dorothy	100-113	574	3
Mathais, Mrs. Mary Anne	100-114	575	3

Name	File Number	Submission Number	Volume Number
Matulewicz, Alex	G 200-61	15	2
Mayhew, Leonard	800-57	402	4
McConnell, Herman	S 700-120	734	4
McCreath, Ralph S.	500-47	263	4
McDonnell, Frances M.	S 300-73	613	3
McDonnell, Martin J.	S 300-76	612	3
McFee, A.	S 300-70	667	3
McIlwraith Field Naturalists of London Inc.	G 700-76	160	2
McKague, Clayton	G 700-28	220	2
	S 800-14	689	4
McKay, Bruce N.	700-9	418	4
McKee, J.V.	500-28	264	4
McKessock, Robert, M.P.P.	G 700-26	121	2
	700-17	440	4
McKinlay, Alistair	S 100-142	677	3
McLaren, Mrs. L.	500-88	305	4
McLeod, Charles	S 600-44	721	4
McLeod, Donald A.	S 600-45	722	4
McMeeken, Mr. and Mrs. R.C.	S 300-79	619	3
McNenly, Keith J.	S 500-31	699	4
McNichol, Phil	G 700-64	204	2
	800-8	379	4
Medland, Dr. and Mrs. D.	S 300-113	660	3
Melancthon, Township of	G 700-121	131	2
	500-38	267	4

Name	File Number	Submission Number	Volume Number
Melnechuk, Randy	100-133	596	3
Meredith, C.T.	500-76	313	4
Merritt, Robert	G 700-3	178	2
	100-41	518	3
Metropolitan Toronto and Region Conservation Authority	400-1	236	3
Miller, Mrs. Kathy	500-43	324	4
Millsap, Glen and Paul	S 600-39	715	4
Milton High School	G 200-87	26	2
Milton, Town of	G 200-89	56	2
	300-35	372	3
Ministry of Natural Resources	G 700-17	214	2
Mitchell, G.E.	200-12	90	3
Mitchell, John E.	300-37	343	3
Mitchell, Keith	100-134	571	3
Moffatt, Donald	500-8	254	4
Moffatt, Norman H.	500-51	280	4
Mohawk Quarries Limited	S 300-50	608	3
Mokrytzki, Boris	S 300-107	648	3
Mokrytzki, Steve	S 300-106	647	3
Mokrytzki, Mrs. Vera V.	S 300-108	649	3
Mono, Township of	G 700-102	160	2
	500-26	316	4
Moos, Alfred	700-97	442	4
Moos, Bernd	700-1	443	4

Name	File Number	Submission Number	Volume Number
Morgan, Edward W.N.	100-112	573	3
Morrow, Samuel H.	500-2	277	4
Morse, Mrs. Mary	100-124	587	3
Mouriopoulis, Nick	100-8	498	3
Mulmur, Township of	G 700-29	148	2
	500-6	250	4
Murphy, Harold	800-23	400	4
Murray, Mrs. Helen L.	S 500-106	709	4
Myers, Lloyd N.	100-25	519	3
Nature Conservancy of Canada	G 700-141	139	2
New Democratic Party (Ontario)	G 200-48	48	2
New England Slate Limited	100-119	583	3
Niagara Bruce Trail Club	100-35	540	3
Niagara Escarpment Central Ratepayers Association	G 700-129	151	2
	S 500-9	705	4
Niagara Escarpment Interest Groups Advisory Committee	G 200-41	47	2
Niagara Escarpment Northern Ratepayers Association	G 700-62	203	2
	800-30	404	4
Niagara Escarpment Regions and Counties Advisory Committee	G 200-14	7	2
Niagara Falls, City of	100-55	495	3
Niagara Falls Nature Club	100-68	517	3
Niagara-on-the-Lake, Town of	100-51	494	3

Name	File Number	Submission Number	Volume Number
Niagara Peninsula Conservation Authority	100-76	553	3
Niagara Peninsula Investments Limited	100-83	510	3
Niagara, Regional Municipality of	G 200-3	3	2
	100-2	489	3
Niagara Region Chamber of Commerce	100-57	554	3
Noisy River Fishing Club	600-11	482	4
North Grey and Sauble Valley Conservation Authority	G 700-131	141	2
Nottawasaga, Township of	G 700-126	177	2
	600-1	475	4
Obranovich, S.J.	200-31	114	3
O'Donoghue, Mrs. J. and Wrzesnewskyj, Mrs. R.	100-44	524	3
Oliver, Lloyd	G 700-1	158	2
	100-18	511	3
Ontario Association of Landscape Architects	G 200-52	37	2
Ontario Conservation Panel of the Canadian International Biological Programme	G 700-73	192	2
Ontario Federation of Agriculture	G 200-73	6	2
Ontario Federation of Anglers and Hunters	G 200-63	69	2
Ontario Historical Society	G 200-21	29	2
Ontario Institute of Agrologists	G 200-40	8	2

Name	File Number	Submission Number	Volume Number
Ontario Libertarian Party	G 700-5	212	2
Ontario Real Estate Association	G 700-15	129	2
Ontario Rock Climbing Association	300-39	352	3
Ontario Society of Environmental Management	G 700-124	130	2
Ontario Trail Riders Association	100-49	591	3
	200-3	96	3
	300-43	338	3
	400-21	232	3
	500-30	256	4
	700-86	469	4
O'Reilly, Mr. and Mrs. James	300-5	340	3
Ottawa Field Naturalists Club	G 200-57	68	2
Owen Sound, City of	700-82	408	4
Paolasini, Mr. and Mrs. A. and Paolasini, Tony	100-46	546	3
Pavlovich, Ronald	200-40	106	3
Payne, Dr. Robert	G 700-105	143	2
Pearce, J.A.	500-45	252	4
Pearse, Robert M.	G 700-52	224	2
Peel, Regional Municipalty of	400-22	229	3
Pelham, Town of	G 200-22	30	2
	100-22	490	3
Pemberton, Jack D.	S 300-68	615	3

Name	File Number	Submission Number	Volume Number
Peninsula Field Naturalists	100-87	550	3
Pennachetti, John T.	100-10	500	3
Penson, William F.	300-25	348	3
Perry, Dr. and Mrs. V.R.	500-75	310	4
Peterson, Mrs. Melva	G 700-137	226	2
	S 700-83	693	4
Phillips, Dr. J.H.H.	100-85	506	3
Phillips, Mrs. Jean	100-86	507	3
Porter, Mr. and Mrs. Robert and Porter, Robert Jr.	700-7	419	4
Potter, Mrs. Irene	G 700-43	166	2
	700-62	430	4
Prange, Meryl	G 700-135	181	2
	700-92	412	4
Pratt, W.M., Q.C.	G 700-94	194	2
Pratten, F.R.	100-23	513	3
Preece, Mr. and Mrs. Norman	100-82	521	3
Preservation of Agricultural Land Society	100-71	532	3
Property Owners Rights Association	G 700-4	179	2
	100-29	529	3
Prucyk, Mr. and Mrs. Joseph	300-2	366	3
Puddicombe, J.B. & Son Limited	200-20	80	3
Quinton, Mrs. Margaret	G 700-22	165	2
	700-14	427	4

Name	File Number	Submission Number	Volume Number
R.D.B. Building Products Ltd.	300-52	351	3
Ralph, Angus	G 700-36	128	2
	800-16	382	4
Rattlesnake Point Citizens Group	G 200-33	51	2
Rauk, Sergei and Erika	500-49	284	4
Raymond, J. Ross	G 700-25	206	2
Reed, Mrs. J.	S 300-69	616	3
Reed, Laurie E.	S 300-121	663	3
Reed, Mrs. Margaret	100-81	530	3
Reese, R.E.	100-100	598	3
Regan-Graham Limited	S 400-26	696	3
Reid, Barry W.	700-76	435	4
Reid, Robert W.	700-75	436	4
Reid, Walter	700-77	434	4
Reive, Tom	500-5	287	4
Rennie, R. Alonzo	700-11	429	4
Rice and McHarg Limited	S 300-62	653	3
Rice, Catherine B.	100-63	504	3
Rice, W.A.	100-111	572	3
Richardson, Frank and Ismay	G 700-21	183	2
	800-11	396	4
Richardson, Gordon	G 700-37	123	2
Richardson, Gordon and Rhonda	800-17	394	4
Richmond Hill Naturalists Club	G 200-27	17	2

Name	File Number	Submission Number	Volume Number
Robb, Donald	500-96	323	4
Roberts, Albert E.	S 100-140	656	3
Robinson, Mrs. Anne	100-97	593	3
Rodgers, James and Shirley	800-19	397	4
Roland, Mrs. Audrey	100-105	576	3
Rowland, D.J.	700-3	410	4
Royal Botanical Gardens	G 200-70	22	2
	200-18	86	3
Royal, Curtis	S 600-36	713	4
Rutherford, Jerry	S 800-32	690	4
Ruttan, David	S 600-34	724	4
Saine, Dr. Joseph	100-21	516	3
St. Catharines and Lincoln Historical Society	G 200-15	59	2
St. Davids Sand and Gravel Limited	100-70	541	3
St. Edmunds Property Owners Association	G 200-55	50	2
St. John's Valley Community	100-95	581	3
St. Vincent, Township of	G 700-95	119	2
	700-106	472	4
Sametz, William and Rose	100-65	594	3
Samuel Roy Enterprises	300-56	342	3
Sanderson, Malcolm J.	G 700-120	198	2
Saugeen Field Naturalists	G 700-127	153	2
	S 700-91	684	4
	S 800-49	683	4

Name	File Number	Submission Number	Volume Number
Save the Valley Committee	S 200-45	607	3
Sceats, Hubert B.	600-25	479	4
Sceats, Thomas	700-107	415	4
Schmutz, E.	G 700-110	190	2
Scholn, Rolf H.	100-118	586	3
Schwass, Rodger and Mary	S 800-59	687	4
Scott, Harold	S 600-51	725	4
Scott, Walter	G 700-88	202	2
	700-66	466	4
Seabrook, Norman E.	G 700-20	142	2
	700-13	421	4
Searle, A.A.	800-53	391	4
Shannon, William L.	G 700-91	132	2
Sharpe, Mrs. Anne	100-106	578	3
Sharpe, Sam S.	G 700-40	188	2
	600-7	483	4
Sheldon, Mrs. Pamela	S 300-104	645	3
Shepherd, Dave	G 700-10	219	2
Shepherd, George	500-39	308	4
Shepherd, George and Ralph	S 600-35	726	4
Shepherd, Ronald and Jeanne	S 300-124	676	3
Sherwin, R.T.	S 200-47	605	3
Shields, James	S 600-43	719	4
Shouldice, Garfield	S 800-55	685	4
Sierra Club of Ontario	G 200-17	54	2

Name	File Number	Submission Number	Volume Number
Simcoe County Federation of Agriculture	G 700-123	176	2
	600-8	487	4
Simcoe, County of	G 700-6	217	2
	600-26	474	4
Simpson, Bruce P.	700-73	461	4
Sinclair, Donald	G 200-64	33	2
Sinclair, Mrs. Helen	500-23	283	4
Sloam, William	S 500-98	704	4
Slow Poke Hikers, Iroquoia Section	G 200-10	28	2
Smith, Arthur	100-129	551	3
Smith, Clifford R.J.	400-23	249	3
Smith, Mrs. Deborah	100-102	585	3
Smith, Derek	S 300-112	658	3
Smith, Harold P.	500-63	295	4
Smith, Pam	S 300-111	659	3
South Peel Naturalists Club	G 200-39	64	2
Spaldin, Mr. and Mrs. Barry	S 300-82	627	3
Speyside Area Ratepayers Association	S 300-58	609	3
Sprentz, Donna	200-42	104	3
Standard Industries Ltd.	300-17	368	3
	500-82	318	4
Steed and Evans Limited	100-62	603	3
Stephens, William	700-101	446	4
Stewart, Helen Mrs.	400-2	239	3

Name	File Number	Submission Number	Volume Number
Still, Wilson R. and Ruth	S 500-81	703	4
Stone, Dr. Allan	G 700-144	156	2
	700-74	444	4
Stoney Creek, Town of	G 200-37	53	2
	200-13	75	3
Summers, Mrs. Roy	G 200-4	41	2
	100-6	497	3
Sundance of Blantyre Limited	700-27	452	4
Sutherland, Harold	700-24	458	4
Swan, Lois M.	S 300-96	639	3
Swan, J.A.	S 300-95	638	3
Sydenham Federation of Agriculture	G 700-101	182	2
	700-16	433	4
Sydenham Sportmen's Association	G 700-30	136	2
Symmes, L.R.L.	G 700-58	133	2
	300-48	344	3
TCG Materials Limited	100-7	548	3
Taro Properties Incorporated	200-24	116	3
Tate, Russell	500-57	296	4
Taylor, Mrs. C.	S 100-137	670	3
Taylor, Darrel	S 600-21	723	3
Taylor, John M.	G 700-53	197	2
Taylor, Kenneth B.	700-42	441	4
Teakles, Mrs. Dorothy	S 700-121	735	4

Name	File Number	Submission Number	Volume Number
Tecumseth and West Gwillimbury Historial Society	G 200-31	62	2
Terra Cotta Gardens Ltd.	400-18	244	3
Therafields	G 700-7	135	2
Thompson, Freda	G 700-74	207	2
Thompson, Gordon	G 700-92	167	2
Thompson, J.B.	100-127	565	3
Thompson, James, Allen and Freda	700-55	460	4
Thompson, Mr. and Mrs. John H.	800-54	398	4
Thompson, Robert C.	G 700-24	168	2
	700-15	417	4
Thompson, Sharon and Timothy	S 700-124	738	4
Thomson, Lloyd	S 700-126	741	4
	500-14	261	4
Thorold, City of	G 200-8	11	2
	100-3	493	3
Tidey, Donald E.	200-23	93	3
Tighe, Brian	100-99	592	3
Tobermory CHamber of Commerce	G 700-57	127	2
Toccalino, A.J.	S 300-97	640	3
Toccalino, Carlo F.	S 300-117	621	3
Toccalino, Carlo T.	S 300-117	620	3
Toccalino, Mrs. Jeanette	S 300-123	624	3

Name	File Number	Submission Number	Volume Number
Toccalino, Mrs. Kearen	S 300-99	643	3
Toccalino, Louis	S 300-118	622	3
Toccalino, Michael	S 300-119	623	3
Tolmie, Mrs. Shirley	100-38	536	3
Tomarin, Harry P.	100-40	531	3
Toronto Bruce Trail Club	G 700-46	223	2
	S 300-29	666	3
Toronto Field Naturalists	G 700-16	134	2
	S 300-32	668	3
Torrie, Alex	G 700-51	209	2
	700-35	455	4
Tovell, Dr. Walter M.	500-33	251	4
Towsley, Alan H.	G 200-26	52	2
	200-11	100	3
Towsley-Ward Investments Inc.	300-12	330	3
Twaites, W.O.	400-12	234	3
Union of Ontario Indians	G 700-75	189	2
United Ceramics Limited	300-28	336	3
University of Toronto Outling Club	G 700-79	200	2
Vance, Harvey	700-67	439	4
Van Sickle, Barbara	S 300-84	628	3
Van Sickle, Fred	S 300-85	629	3
Vaughan, J. Bryan and Dorothy Truax	300-34	359	3
Verrico, Capibianco and Casala	S 300-63	671	3

Name	File Number	Submission Number	Volume Number
Vidal, James Jr.	100-132	552	3
Vogel, Kurt E.	600-4	485	4
Walker, Mrs. Sandra J.	100-103	590	3
Walker, W. Brian	100-94	582	3
Walton, Andrew	S 300-91	634	3
Walton, Barbara	S 300-92	635	3
Walton, David	S 300-93	636	3
Walton, Miss Gloria	S 300-90	633	3
Ward, Ian R.	G 200-83	71	2
Ward, Lawrence W.	800-21	385	4
Warder Farms Limited	G 700-98	120	2
Waterdown-East Flamborough Heritage Society	200-4	99	3
Watergate Investments Limited	S 200-44	604	3
Waterloo, University of, Some Students	G 700-19	161	2
Watkins, Mrs. Janet M.	G 200-12	19	2
	300-15	334	3
Watson, Mrs. W.I.	S 800-22	682	4
Weatheridge Group Ltd. (Marketplan Division)	200-19	79	3
Wechsel, Reinhold and Brunhilde	500-27	258	4
Weinberg, Gerald	S 700-123	737	4
Weir, Ms. Mary Jane T	500-42	265	4
Wessel, R.A.	100-136	602	3

Name	File Number	Submission Number	Volume Number
Weston, C.	C 600-37	727	4
Whaley, Catherine	300-18	333	3
White, Eric and Phyllis	500-59	317	4
White, James	S 500-7	711	4
Wiele, Robert	S 700-122	736	4
Wiley, Warren	G 200-20	44	2
Wills, Mrs. Nancy and Mrs. Marguerite R.	200-38	109	3
Wilkinson, Lynn	600-28	478	4
Wilkinson, Robert	S 500-79	702	4
Wood, Janet M.	S 300-89	632	3
Wood, Kenneth	S 300-88	631	3
Wright, Dr. Frederick J.	200-29	85	3
Wrigley, Harold	700-56	411	4
Wyonch, David	G 700-115	225	2
Zmenak, Dr. Emil	G 200-68	14	2
	100-33	556	3
Zohoruk, Harry W.	G 200-28	27	2
	300-13	337	3
Zone 3 Ontario Sheep Association	G 200-66	4	2

G - General Hearing: Phase I

S - Supplemental Hearing: Phase II

Number/
Numéro

2

Ontario

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

Report of the Hearing Officers

A.L. McCrae, Chief Hearing Officer
W.T. Shrives, Hearing Officer
M.D. Henderson, Hearing Officer

Volume Two

January 1983

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

A. L. McCRAE, Chief Hearing Officer
W. T. SHRIVES, Hearing Officer
M. D. HENDERSON, Hearing Officer

Tobermory
Toronto
Queenston
Windsor

WALTER W. GOWING, Chief Administrator
CAROL A. BEVERIDGE, Hearing Secretary

VOLUME TWO
JANUARY 1983

TABLE OF CONTENTS

VOLUME 2 - PHASE I HEARING

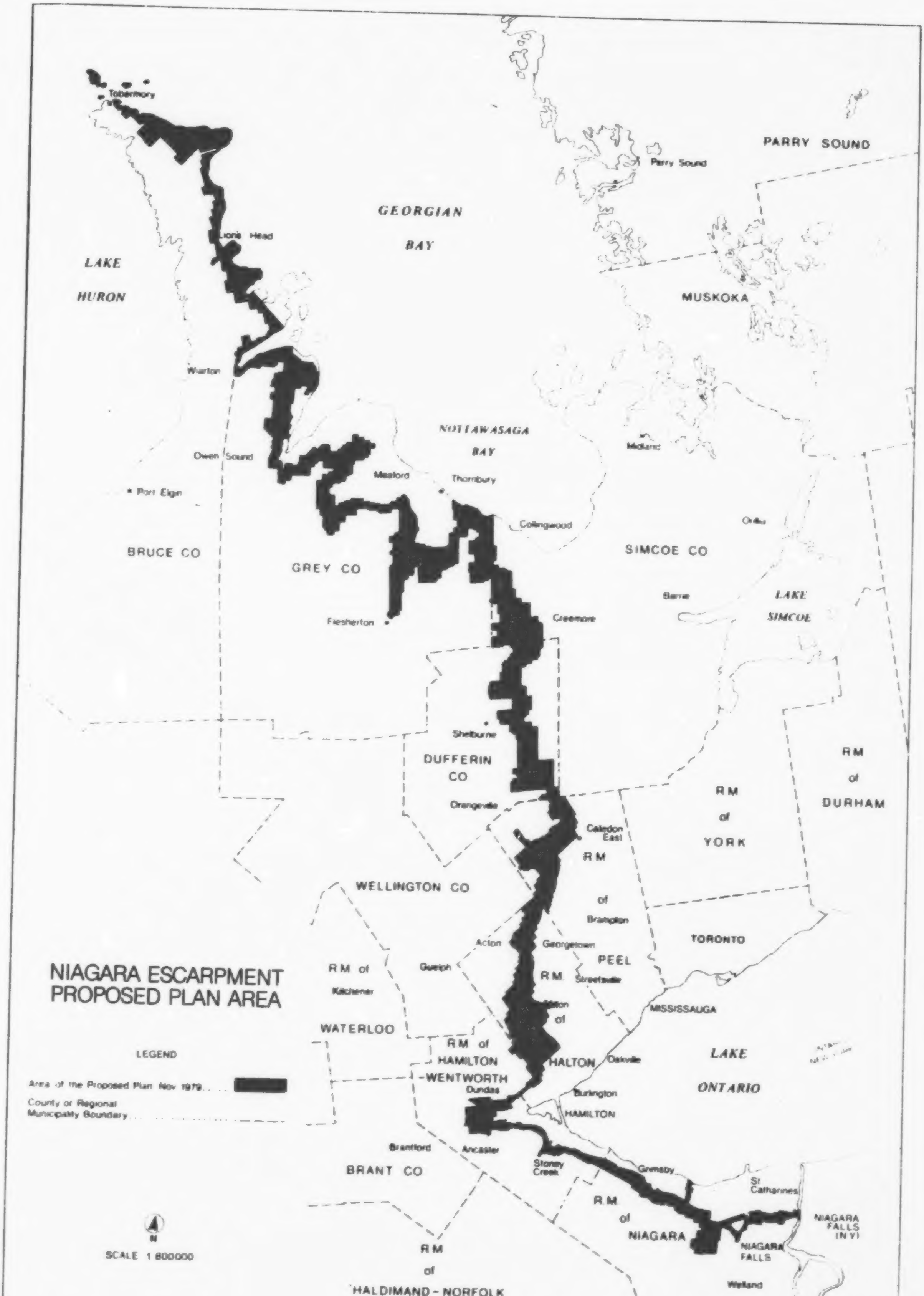
In Phase I, only presentations on general issues concerning the Proposed Plan as a whole were heard by the Hearing Officers

Index: LIST OF SUBMISSIONS 257

General Statement by Hearing Officers 267

Summary of Submissions, Recommendations and Reasons 269

This is Volume Two of a four volume report by the Hearing Officers on the Niagara Escarpment Proposed Plan. Please refer to Volume One for a complete four volume Table of Contents.



NIAGARA ESCARPMENT PROPOSED PLAN AREA

LEGEND
Area of the Proposed Plan Nov 1979
County or Regional Municipality Boundary
N
SCALE 1 800000
Tobermory
Lions Head
LAKE HURON
GEORGIAN BAY
PARRY SOUND
Parry Sound
MUSKOKA
Wiarton
Owen Sound
Port Elgin
NOTTAWASAGA BAY
Meaford
Thornbury
Midland
Collingwood
Orillia
BRUCE CO
GREY CO
SIMCOE CO
Barrie
LAKE SIMCOE
Flesherton
Creemore
Shelburne
DUFFERIN CO
Orangeville
R M of DURHAM
R M of YORK
Caledon East
R M of Brampton
WELLINGTON CO
Acton
Georgetown
TORONTO
Guelph
R M of Kitchener WATERLOO
PEEL R M
Streetsville
Milton
R M of HALTON
MISSISSAUGA
Oakville
R M of HAMILTON - WENTWORTH
Dundas
Burlington
HAMILTON
LAKE ONTARIO
Brantford
Ancaster
BRANT CO
Stoney Creek
Grimsby
St Catharines
R M of NIAGARA
NIAGARA FALLS (N Y)
NIAGARA FALLS
Welland
R M of HALDIMAND - NORFOLK
Port Colborne
BUFFALO
LAKE ERIE
CANADA USA

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

INDEX

LIST OF SUBMISSIONS

PHASE I

Name	File Number	Submission Number	Page Number
Abernethy, Donald	G 700-61	174	488
Acres Consulting Services Limited	G 700-23	201	518
Acton High School	G 200-34	46	339
Aggregate Producers Association of Ontario	G 700-14	216	541
Aldershot High School	G 200-88	38	331
Ancaster Outers Klub	G 200-74	40	333
Association of Counties and Regions of Ontario	G 700-18	126	420
Association of Ontario Land Surveyors	G 700-108	185	501
Bleguis, Jeffrey	G 200-23	61	390
Blue Mountain Bruce Trail Club	G 700-66	172	486
Blue Mountain Resorts and Craigleith Developments	G 700-49	171	484

Name	File Number	Submission Number	Page Number
Bothwell, Gordon M.	G 700-65	137	431
Bruce, County of	G 700-13	140	434
Bruce Peninsula Protection Association	G 700-50	144	449
Bruce Peninsula Snowmobile Trail Association	G 700-39	213	530
Bruce Peninsula Sportman's Association	G 700-35	146	451
Bruce Trail Association	G 200-7	21	302
Bumstead, Raymond	G 700-78	191	507
Bunner, Freda	G 700-2	210	527
Burlington, City of	G 200-35	55	375
Butler, Charlene	G 200-50	23	304
Byng, Bryan	G 200-86	73	402
Campbell, Malcolm M.	G 700-142	208	525
Campbell, Robert	G 700-71	180	496
Canadian Environmental Law Association	G 700-134	175	489
Canadian Society of Environmental Biologists (Ontario Chapter)	G 700-136	169	482
Carlisle, Ms. Nina B.	G 700-44	222	549
Caulfield-Browne, G. William	G 700-27	147	452
Central Ontario Chapter, Canadian Institute of Planners	G 700-132	164	477
Chairmen's Committee of the Conservation Authorities of Ontario	G 700-130	154	463
Charlebois, J.P.	G 200-91	43	336

Name	File Number	Submission Number	Page Number
Cheshire, Hubert	G 700-31	138	432
Clear Hamilton of Pollution	G 200-11	24	305
Coalition on the Niagara Escarpment	G 200-9	49	348
Collingwood and District Real Estate Board	G 700-99	211	528
Conservation Council of Ontario	G 700-55	199	515
Cooper, Douglas	G 200-53	20	301
Credit Valley Conservation Authority	G 200-59	13	293
Davidson, Harold	G 700-111	149	455
Dittrich, C.D.	G 700-140	227	554
Dufferin Federation of Agriculture	G 700-69	187	503
Dufferin-Hi-Land Bruce Trail Club	G 700-45	195	511
Dukeshire, Victor L.	G 200-82	5	278
Elliott, H. Vincent	G 700-68	159	470
Federation of Ontario Hiking Trail Association	G 700-47	162	475
Federation of Ontario Naturalists	G 200-1	12	289
Fenwood Developments Limited	G 200-58	1	271
Flamborough, Township of	G 200-29	25	306
Forbes, Harold M.	G 700-38	152	461
Foundation for Aggregate Studies	G 700-143	215	538
Gertler, Len	G 700-112	163	476
Gilmour, W. A.	G 200-56	67	396

Name	File Number	Submission Number	Page Number
Glooschenko, Ms. Valanne	G 200-13	32	315
Grant, Mr. and Mrs. Donald J.	G 700-12	124	418
Grey, County of	G 700-97	117	405
Grove, Marvin	G 200-19	60	389
Halton Hills, Town of	G 200-90	57	378
Halton Region Conservation Authority	G 200-43	36	325
Halton, Regional Municipality of	G 200-24	58	380
Hamill, Stewart	G 700-118	184	500
Hamilton Naturalists's Club	G 200-16	74	404
Hamilton Region Conservation Authority	G 200-5	34	317
Harshman, G. Frank	G 200-76	10	287
Hewitt, Clarence	G 200-92	45	338
Hildebrandt, Charles	G 200-36	63	392
Hill, Gordon T.	G 700-8	218	545
Hindson, David	G 700-125	205	522
Holland, Township of	G 700-56	170	483
Howes, J. Douglas	G 200-54	39	332
Isthmus Bay Property Owners' Association	G 700-11	122	416
Jackson, Dr. John N.	G 200-18	2	273
Johnson, Joseph W.	G 700-60	125	419
Johnston, Alex	G 700-34	145	450
Jones, Thomas N.	G 700-87	193	509
Jones, Richard C.	G 700-93	173	487
Jurss, Alfred	G 200-42	65	394

Name	File Number	Submission Number	Page Number
Keppel, Township of	G 700-33	188	504
Kirk, Malcolm	G 200-32	9	286
Kitchener-Waterloo Field Naturalists	G 200-25	16	297
Lefebure, John V.	G 200-93	35	324
Lemcke, Ivan	G 700-63	186	502
Lesich, Joseph	G 700-67	155	466
Leverty, Robert	G 700-103	157	468
LeWarne, Miss Jane C.	G 200-85	72	401
Lincoln, Town of	G 200-38	31	313
Local Architectural Advisory Committee - Cookstown	G 700-32	221	548
Lookout Point Golf and Country Club and Concerned Citizens for the Fonthill Kame Moraine	G 200-67	42	335
Lord Elgin High School	G 200-44	18	299
Lowcock, Mrs. Murial	G 700-85	195	511
MacKenzie, Ms. Margaret	G 200-47	66	395
MacRae, John E.	G 200-65	70	399
Martin, Kenneth E.	G 200-81	1	271
Matulewicz, Alex	G 200-61	15	296
Melancthon, Township of	G 700-121	131	425
Merritt, Robert	G 700-3	178	493
Milton High School	G 200-87	26	308
Milton, Town of	G 200-89	56	377
Ministry of Natural Resources	G 700-17	214	531
Mono, Township of	G 700-102	150	456

Name	File Number	Submission Number	Page Number
Mulmur, Township of	G 700-29	148	453
McIlwraith Field Naturalists of London	G 700-76	160	471
McKague, Clayton	G 700-28	220	547
McKessock, Robert	G 700-26	121	415
McNichol, Phil	G 700-64	204	521
Nature Conservancy of Canada	G 700-141	139	433
New Democratic Party (Ontario)	G 200-48	48	346
Niagara Escarpment Central Ratepayers Association	G 700-129	151	458
Niagara Escarpment Interest Groups Advisory Committee	G 200-41	47	340
Niagara Escarpment Northern Ratepayers Association	G 700-62	203	520
Niagara Escarpment Regions and Counties Advisory Committee	G 200-14	7	281
Niagara, Regional Municipality of	G 200-3	3	275
North Grey and Sauble Valley Conservation Authority	G 700-131	141	443
Nottawasaga, Township of	G 700-126	177	491
Oliver, Lloyd	G 700-1	158	469
Ontario Association of Landscape Architects	G 200-52	37	329
Ontario Conservation Panel of the Canadian International Biological Programme	G 700-73	192	508
Ontario Federation of Agriculture	G 200-73	6	279
Ontario Federation of Anglers and Hunters	G 200-63	69	398

Name	File Number	Submission Number	Page Number
Ontario Historical Society	G 200-21	29	311
Ontario Institute of Agrologists	G 200-40	8	284
Ontario Libertarian Party	G 700-5	212	529
Ontario Real Estate Association	G 700-15	129	423
Ontario Society of Environmental Management	G 700-124	130	424
Ottawa Field Naturalists Club	G 200-57	68	397
Payne, Dr. Robert	G 700-105	143	447
Pearse, Robert M.	G 700-52	224	551
Pelham, Town of	G 200-22	30	312
Peterson, Mrs. Melva	G 700-137	226	553
Potter, Mrs. Irene	G 700-43	166	479
Prange, Meryl	G 700-135	181	497
Pratt, W. M.	G 700-94	194	510
Property Owners Rights Association	G 700-4	179	494
Quinton, Mrs. Margaret	G 700-22	165	478
Ralph, Angus	G 700-36	128	422
Rattlesnake Point Citizens Group	G 200-33	51	369
Raymond, J. Ross	G 700-25	206	523
Richardson, Frank and Ismay	G 700-21	183	499
Richardson, Gordon	G 700-37	123	417
Richmond Hill Naturalists Club	G 200-27	17	298
Royal Botanical Gardens	G 200-70	22	303

Name	File Number	Submission Number	Page Number
St. Catharines and Lincoln Historical Society	G 200-15	59	388
St. Edmunds Property Owners Association	G 200-55	50	368
St. Vincent, Township of	G 700-95	119	410
Sanderson, Malcolm J.	G 700-120	198	514
Saugeen Field Naturalists	G 700-127	153	462
Schmutz, E.	G 700-110	190	506
Scott, Walter	G 700-88	202	519
Seabrook, Norman E.	G 700-20	142	445
Shannon, W.	G 700-91	132	426
Sharpe, Sam S.	G 700-40	188	504
Shepherd, Dave	G 700-10	219	546
Sierra Club of Ontario	G 200-17	54	374
Simcoe County Federation of Agriculture	G 700-123	176	490
Simcoe, County of	G 700-6	217	544
Sinclair, Donald	G 200-64	33	316
Slow Poke Hikers	G 200-10	28	310
South Peel Naturalists Club	G 200-39	64	393
Stone, Dr. Allan	G 700-144	156	467
Stoney Creek, Town of	G 200-37	53	372
Summers, Mrs. Roy	G 200-4	41	334
Sydenham Federation of Agriculture	G 700-101	182	498
Sydenham Sportmen's Association	G 700-30	136	430
Symmes, L.R.L.	G 700-58	133	427

Name	File Number	Submission Number	Page Number
Taylor, John M.	G 700-53	197	513
Tecumseth and West Gwillimbury Historical Society	G 200-31	62	391
Therafields	G 700-7	135	429
Thompson, Freda	G 700-74	207	524
Thompson, Gordon	G 700-92	167	480
Thompson, Robert C.	G 700-24	168	481
Thorold, City of	G 200-8	11	288
Tobermory Chamber of Commerce	G 700-57	127	421
Toronto Bruce Trail Club	G 700-46	223	550
Toronto Field Naturalists Club	G 700-16	134	428
Torrie, Alex	G 700-51	209	526
Towsley, Alan H.	G 200-26	52	371
Union of Ontario Indians	G 700-75	189	505
University of Toronto Outing Club	G 700-79	200	517
Ward, Ian R.	G 200-83	71	400
Warder Farms Limited	G 700-98	120	414
Waterloo, University of, Some Students	G 700-19	161	472
Watkins, Mrs. Janet	G 200-12	19	300
Wiley, Warren	G 200-20	44	337
Wyonch, David	G 700-115	225	552
Zmenak, Dr. Emil	G 200-68	14	295
Zohoruk, Harry	G 200-28	27	309
Zone 3 Ontario Sheep Association	G 200-66	4	277

PHASE I

GENERAL STATEMENT

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "a summary of the representations made together with a report ... shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the summaries of submissions and report for the Phase I section of the hearing conducted in Ancaster and Owen Sound is contained herein.

The Phase I process is further explained in Chapter 1 - THE HEARING PROCESS, of Volume 1 of this report.

The submissions for this section are numbered 1 to 74 inclusive and 117 to 227 inclusive.

This report must be read in conjunction with the general section in Volume 1 of this report.

PHASE I

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. G 200-58 SUBMISSION NO. 1
G 200-81

COUNSEL: S. Baldwin

OWNERS: Fenwood Development Limited - R. Banting
K.E. Martin

LAND: Part Lots 48 and 49, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

This submission makes the following points:

1. Defines the Niagara Escarpment essentially as a rock face.
2. Protected area would be watersheds immediately above the Escarpment.
3. The most important geological threat to the continued existence of the Escarpment is any activity which accelerates runoff and erosion.
4. Scarp is not a continuous feature.
5. Prefers local zoning by-laws as the instrument to control land use.
6. Voiced concern as to the implementation of the Plan.

K.E. Martin who appeared on his own behalf concurred with this submission.

EXHIBITS:

36. Curriculum Vitae - Dr. M.J. Risk

37. Mount Hope, Ontario Map (30M/4e - Edition 3), 1973

38. Dr. M.J. Risk, submission dated May 1, 1980

39. (a) Qualifications - Donald May, M.C.I.P.

(b) Donald May & Associates Ltd., Ancaster - submission dated May 1, 1980. K. Martin and R. Banting.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-18 SUBMISSION NO. 2

OWNER: Dr. John N. Jackson

SUMMARY OF SUBMISSION:

Dr. Jackson's brief covered several issues and although he welcomed the major proposals of the Proposed Plan he also felt that its content should be strengthened in several places.

1. He pointed out that what is needed is a sensible and authoritative plan and a firm commitment by the Provincial Government.
2. The extent of the Planning Area: any further reductions of the Proposed Plan should be stoutly resisted.
3. Land Use Policies: in view of the fact that the Proposed Plan is so greatly reduced then land use policies should be more stringent and encourage development outside the area of the Proposed Plan.
4. The Bruce Trail: the trail is an essential component of the Proposed Plan and he accepts all the provisions respecting the trail.
5. Scenic Drives: would like to see scenic drives reintroduced into the Proposed Plan.
6. Implementation: does not agree with delegating the control of the Proposed Plan to local authorities.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

SUBMISSION NO. G 200-3

SUBMISSION NO. 3

AGENT: Corwin Cambray, Manager, Policy Planning

GROUP: Regional Municipality of Niagara

SUMMARY OF SUBMISSION:

This brief covers the following municipalities: Town of Lincoln, Town of Niagara-on-the-Lake, City of Niagara Falls, City of Thorold, Town of Pelham, and the City of St. Catharines. The Town of Grimsby generally does not support the Proposed Plan.

Several recommendations were made as follows:

1. That the Proposed Plan policy on agriculturally related retirement severances be reviewed and clarified.
2. That the Escarpment Rural Areas designation be amended to eliminate non-conformity with local and regional official plans or delete entirely from the Proposed Plan Area. In those areas where removal of the Escarpment Rural designation would leave an Escarpment Natural Area without any abutting "buffer" designation, the Escarpment Protection Area designation could be extended to include part of the former Escarpment Rural Area.
3. That the Urban Centre designations in the Proposed Plan for Grimsby, St. Catharines and Thorold be deleted.
4. That development criteria for the evaluation of new pits and quarries, which may or may not require an amendment to the Escarpment Plan, be clarified.
5. That further clarification of the appropriate and desired after uses of excavation areas be provided.
6. That the Proposed Plan strategy for stabilizing the Bruce Trail be endorsed, but with some provisions for

compensation to adjacent landowners who may suffer property damage.

7. That the proposal to retain development control as the primary tool for land use regulations within the proposed Escarpment planning area be endorsed.
8. That the Province recognize the need for funds to purchase vacant lots in particularly significant locations.
9. That the Proposed Plan be modified to provide that grants shall be given to municipalities towards the cost of amending planning documents to resolve conflicts between the Escarpment Plan and municipal plans.
10. That the Regional Municipality of Niagara be the implementing body for the Niagara Escarpment Plan when approved.
11. That the procedure for appeals from Ontario Municipal Board decisions be clarified with at least the final decision on amendments to the Escarpment Plan being made by a Provincial Minister.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-66

SUBMISSION NO. 4

AGENT: G.P. Branch

GROUP: Zone 3 Ontario Sheep Association

SUMMARY OF SUBMISSION:

The brief presented by Mr. Branch covered four main headings as follows:

1. Potential increase of dogs.
2. Increase of garbage, etc.
3. Trespass and liability.
4. Compensation.

RECOMMENDATION:

None.

REASONS:

The problems raised in this brief do not have relevance to the Niagara Escarpment Plan in particular, but can be encountered generally in any area. We have no power to recommend regarding compensation.

FILE NO. G 200-82 SUBMISSION NO. 5

OWNER: Victor L. Dukeshire

SUMMARY OF SUBMISSION:

In his evidence he pointed out that:

1. Too much land is given over to parks and recreational lands related to population.
2. Feels the hearings are cut and dried.
3. As a taxpayer doesn't agree with the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission much too negative to receive any comment.

FILE NO. G 200-73

SUBMISSION NO. 6

AGENT: Ron Jones, Chairman of Properties Committee

GROUP: Ontario Federation of Agriculture

SUMMARY OF SUBMISSION:

Following is a summary of the brief presented by the Federation:

1. That Section 2.9 must be more definitive and developed in consultation with the affected farmers.
2. That local planning boards and municipal governments be given a prominent role in implementing development control.
3. That agricultural status be given to lands other than Class 1 to 4, which are part of a farm or are in special agricultural use.
4. That the Commission undertake further compromises to facilitate local concerns.
5. That the property rights of landowners be protected and public recreation rights not be given higher priority.
6. That the Plan undertake objectives which would ensure the competitiveness of agriculture within the planning area.
7. That a positive approach to forest conservation be adopted recognizing the traditional and legitimate needs of farmer-owned woodlands.
8. That the *Ontario Drainage Act* be the legislative guide for stream and water conservation measures.
9. That no landowner unwillingly suffer financial loss or

forfeit property rights resulting from the implementation of the Niagara Escarpment Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-14

SUBMISSION NO. 7

AGENT: Mrs. Anne H. Jones, Chairperson

GROUP: Niagara Escarpment Regions and Counties Advisory Committee

---

SUMMARY OF SUBMISSION:

Mrs. Jones' brief presented on behalf of the above committee made certain recommendations and comments as follows:

The brief while in support of the Proposed Plan points out that the views expressed represent only a consensus and not necessarily all members of the committee. At the same time it requests that certain changes be made in many of the sections.

1. To clear possible confusion in consent provisions re New Lots referred to in Section 2.3 and 2.4 it proposes a rewording.
2. Under Permitted Uses, etc. in Section 2.4 and 2.5 it requests a modification from "local official plans" which are specified to include official plans of counties and regional municipalities.
3. Since development criteria are specifically listed for other designations the same should be done for Urban Group One under 2.6.1.
4. The committee is concerned that the Proposed Plan does not adequately protect prime mineral resources not specifically designated and proposes they be called Mineral Resource Protection Areas and within such areas development and severances for residential purposes be prohibited. New aggregate extraction should be permitted in such protection areas as is the case in Escarpment Rural Areas with tonage and size limits for operations in excess of 20,000 tonnes per annum be determined and stipulated on the

development permit prior to approval of a licence.

Extraction of low quality mineral resource may on amendment suggested, be allowed only as a by-product of the extraction of high quality material.

There should be a permitted uses section added before the New Licences section of the Mineral Resource section and under Existing Licensed Areas the Proposed Plan should clarify what is meant by "adjust the licences and/or the site plans .....".

5. The committee recommends that under Existing Lots section amendment should be made to permit their development if compliance can be made with the necessary requirements.

6. The provisions of 2.9.4 (1) re water quality concerns the committee and the requirement regarding the avoidance of changes to the natural drainage it believes, has the potential of restricting certain farm practices, (e.g. tile drainage). Amendment is proposed to in effect exempt farm activity. In the same section the word "private" should be inserted before phrases ..... sewage systems". A more flexible system of setback standards for existing lots is proposed.

7. The Province should develop procedure to ensure that amendments to the Plan, local official plans and by-laws be dealt with in one process.

8. Should be significant grant increase in lieu of taxes for provincially owned land in the Escarpment Parks System.

9. Supports development control over area of Proposed Plan but municipalities should have option of zoning in Urban, Minor Urban, Escarpment Recreation Areas, and Escarpment Rural Areas.

10. The delegation of administrative control over lands in the Plan should be made to regions and counties capable and willing to assume such and a secondary delegation should be permitted by counties only to area muncipalities if capable and willing. Appropriate for Province to retain control within these municipalities with large areas designated "Escarpment Natural Areas".
11. More complete and wider notice should be given regarding development proposals and decisions made on each. Implementing body by amendment proposed would render a decision on a development permit application within sixty days.
12. Amendment suggested under Section 4.4.1 of the Proposed Plan to provide for involvement of municipalities in the management of public lands.
13. Provincial grants to conservation authorities and municipalities to cover 100% operating costs of Escarpment Parks management.
14. The definitions, Section 6.1, be included as part of the Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-40 SUBMISSION NO. 8

AGENT: C.R. Leuty, Chairman, Niagara Escarpment Committee

GROUP: Ontario Institute of Agrologists

SUMMARY OF SUBMISSION:

The Institute is an organization engaged in all facets of the agricultural industry.

Mr. Leuty's brief covered the following points:

1. Areas of the Proposed Plan need clarification and modification.
2. Feels the Plan underestimates the role of agriculture and the importance not to inhibit agricultural production with increased restrictions and regulations.
3. Fears the Food Land Guidelines will become the rule rather than just policies in Section 2.9.7.
4. Body implementing the Plan must be staffed with people with a knowledge of agriculture and the rural community.
5. Use of the slopes for the growing of grapes in the Niagara Area.
6. Importance of good quality water to the industry.
7. Parks could have a negative effect on farming.
8. The Plan should be administered locally to utilize local knowledge.
9. Farmers should have adequate protection when the public use their lands.

RECOMMENDATION:

None.

REASONS:

Submission highlights alleged farm operations conflict with the Proposed Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-32 SUBMISSION NO. 9

OWNER: Malcolm Kirk

SUMMARY OF SUBMISSION:

Suggestions made in the brief:

1. Best section of the Niagara Escarpment should be purchased or easements obtained to link up lands already acquired.
2. Exclude large subdivisions, housing on cliff tops and quarrying on or near it.
3. Natural areas be retained, preserved and purchased.
4. A land bank fund should be established by the Niagara Escarpment Commission to acquire lands when they become available.
5. Implementation of the Plan should be left with the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-76 SUBMISSION NO. 10

OWNER: G. Frank Harshman

SUMMARY OF SUBMISSION:

Mr. Harshman's brief dealt primarily with the inequities created by the Plan and felt that no part of the Proposed Plan should be approved.

RECOMMENDATION:

None.

REASONS:

Submission much too negative to comment on.

FILE NO. G 200-8

SUBMISSION NO. 11

AGENT: Ms. Helen Whyte, Planning Consultant

GROUP: City of Thorold

SUMMARY OF SUBMISSION:

The City of Thorold is in basic agreement with the Proposed Plan. The City is not greatly affected and suggests that the Regional Municipality of Niagara is the appropriate body to implement the Plan.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-1

SUBMISSION NO. 12

AGENT: Ron Reid

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

Mr. Reid's brief on behalf of the Federation represents 52 federated nature clubs and members throughout the Province. It is also one of the leading groups in setting up the Coalition on the Niagara Escarpment (C.O.N.E.).

1. The Niagara Escarpment needs protection beyond that normally afforded through land use controls.
2. The Niagara Escarpment is one of eight features in Ontario with national significance.
3. Retention of the Plan as a continuous corridor.
4. Feels that the treatment of mineral resources in the Plan does not go far enough.
5. The development of agricultural lands should be carefully reviewed and be specifically dealt with.
6. Fear that the objective of purchase in 2.9.2 cannot be achieved.
7. Federation of Ontario Naturalists strongly supports a strong implementing structure for the Plan.
8. Strongly support the identification of a linked parkland system along the length of the Escarpment.
9. Section 3.2.1 replace objective No. 1 with "To preserve regionally and Provincially significant elements of the natural and cultural landscape of the Escarpment area".
10. Section 3.2.2 recommends change in wording as

follows:

(a) That certain scattered areas of limited significance already in public ownership be deleted from the proposed Park System, and retained in their existing state as undesignated public lands.

(b) That the Ontario Provincial Parks Planning and Management Policies be applied without exception to the designated parklands, regardless of present ownership.

11. That the park classifications contained in Sections 3.2.3 and 3.7 be amended to Nature Reserve Parks, Natural Environment Parks, and Recreation Parks.

12. That Guideline No. 6 in Section 3.2.4 be replaced by "Amendments to the Parks classification will require approval of the Niagara Escarpment Commission or the equivalent implementing agency for this Plan.

13. That Section 3.4 include the following:

(a) That funding for acquisition of land or rights on the Niagara Escarpment should be placed in a Niagara Escarpment Lands Fund, as will be outlined in the Coalition on the Niagara Escarpment submission (No. 49) to these hearings, and that such funding should accumulate in this fund from year to year to enhance the flexibility of land purchases.

(b) That Parks Canada be invited to play an active role in the acquisition of National Landmarks along the Niagara Escarpment, and to enter into cooperative agreements with provincial agencies for joint funding or management of park areas.

(c) That Section 3.4 note that acquisition priorities will be reviewed at the end of five years, with changes or additions as necessary made at that time.

14. The comments on Section 3.7 include several recommendations for changing the designations of several parks.

15. Landowners should not be made to provide benefits or make speculative profits.

EXHIBITS:

40. Federation of Ontario Naturalists 1979 Annual Report and Program for 1980.

41. Federation of Ontario Naturalists
Submission to the Niagara Escarpment Commission regarding the Preliminary Proposals, September 1, 1978.

42. Federation of Ontario Naturalists
Submission to the Niagara Escarpment Interest Groups Advisory Committee, May 29, 1979.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

As far as the recommendation for changing the designations of several parks in Section 3.7 is concerned, we are of the opinion that these changes if deemed advisable can be made by the Niagara Escarpment Commission.

FILE NO. G 200-59

SUBMISSION NO. 13

AGENT: Miss Rose Menyes, Senior Conservation Planner

GROUP: Credit Valley Conservation Authority

SUMMARY OF SUBMISSION:

The Proposed Plan for the most part recognizes the Credit Valley Conservation Authority's natural resource concerns.

The Authority's brief sets out the following concerns:

1. Does not take into account the proposed land acquisition programs of the Authority.
2. That Provincial funding will be directed to land acquisition in the Niagara Escarpment at the expense of Conservation Authorities' acquisition programs.
3. The suggestion that Conservation Authorities should play an increased role in the provision of recreation facilities needs to be qualified to ensure that only passive type recreation is to be considered.
4. That the Credit Valley Conservation Authority will have to prepare another Master Planning Program which would only be redundant.
5. That the implementation of the detailed land use policies can be delegated to municipalities (the Credit Valley Conservation Authority wants the Province to retain responsibility).
6. Wants development control system to be continued.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-68 SUBMISSION NO. 14

OWNER: Dr. Emil Zmenak

SUMMARY OF SUBMISSION:

Dr. Zmenak's brief concerned a specific matter but in general stated that any landowner should not be "held up" under any circumstances for more than one year in seeking a development permit.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-61 SUBMISSION NO. 15

OWNER: Alex Matulewicz

SUMMARY OF SUBMISSION:

This brief's prime goal is the conservation of the Escarpment and after the Proposed Plan is approved that primary control should be given to local authorities.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-25

SUBMISSION NO. 16

AGENT: Charles Cecile

GROUP: Kitchener-Waterloo Field Naturalists

SUMMARY OF SUBMISSION:

The Conservation Chairman of the submitting organization expressed his own and members' views in support of the Proposed Plan. He stated his belief that the Development Criteria are fair and reasonable regarding permitted uses. The Niagara Escarpment Commission should continue to implement the Plan, or in the alternative some other Government body if implementation is to be consistent throughout the Niagara Escarpment Planning Area. He is opposed to the implementing body being the local municipalities as varying interpretations would result. His association is in agreement with the Escarpment Parks and Acquisition Policy. Owners of Escarpment Natural Areas should be given tax concessions to compensate for reduced land use options and as payment for formal conservation easements and informal understandings. Tree cutting should be prohibited in Escarpment Natural Areas except where justified.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-27 SUBMISSION NO. 17

AGENT: Ernest Redelmeier

GROUP: Richmond Hill Naturalists Club

SUMMARY OF SUBMISSION:

This brief endorses the Proposed Plan but points out that the Club is concerned about the "slow-down" of the land acquisition program.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan.

FILE NO. G 200-44 SUBMISSION NO. 18

AGENT: Roman Bandi

GROUP: Lord Elgin High School (Students)

SUMMARY OF SUBMISSION:

This brief is in support of the Proposed Plan but the students would like to see the following emphasized:

1. Clear support of the Bruce Trail.
2. Ban of motorized vehicles on the Bruce Trail.
3. Funds to be made available as soon as possible for the suggested land acquisition.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-12 SUBMISSION NO. 19

OWNER: Mrs. Janet M. Watkins

SUMMARY OF SUBMISSION:

Mrs. Watkins spoke as a whole-hearted supporter of the Proposed Plan and listed four headings:

1. Homeowner - concern for market value of home in Niagara Escarpment.
2. Mother - wants the Niagara Escarpment preserved for her children.
3. High School Teacher - concerned about the welfare of young people.
4. Archivist of the Bruce Trail - concerned about the future of the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan.

FILE NO. G 200-53

SUBMISSION NO. 20

OWNER: Douglas Cooper

SUMMARY OF SUBMISSION:

This was an oral submission which emphasized the need to preserve the Escarpment.

RECOMMENDATION:

None.

REASONS:

Simply in general support.

FILE NO. G 200-7 SUBMISSION NO. 21

AGENT: Al Stacey, President

GROUP: Bruce Trail Association

SUMMARY OF SUBMISSION:

This brief states that this Association is opposed to expropriation for purposes of the Bruce Trail. Wants negotiation for the trail route to remain the primary responsibility of the Association in co-operation with willing landowners. The Association agrees with Bruce Trail portions of the Proposed Plan.

EXHIBITS:

43. 1. Grey-Bruce Map (Blue Water Country) 1976
    2. Grey-Bruce Map, 1961

44. Bruce Trail Association
    Submission - May, 1978

45. Bruce Trail Association
    A Handbook for Group Hiking on the Bruce Trail, June 1980

46. Bruce Trail Guide Book, 11th Edition, 1978

RECOMMENDATION:

None.

REASONS:

The subject matter of this submission has been dealt with elsewhere in this report.

SUBMISSION NO. G 200-70 SUBMISSION NO. 22

AGENT: Leslie Laking, Secretary of the Board

GROUP: Royal Botanical Gardens

SUMMARY OF SUBMISSION:

Dr. Laking's brief on behalf of the Board and staff of the Royal Botanical Gardens supports the philosophy of the Proposed Plan.

1. Endorses the concept of acquiring lands when available - in this connection reinstate the 75% subsidy and extend Section 3.6 to qualified agencies.
2. Portion not now under the Niagara Escarpment Commission such as the Parkway Belt be transferred to the Niagara Escarpment Commission.
3. More public education of the Niagara Escarpment features.
4. Single family homes under Section 2.3 relate only to farm use or very large estate type development.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan.

FILE NO. G 200-50 SUBMISSION NO. 23

OWNER: Mrs. Charlene Butler

SUMMARY OF SUBMISSION:

Mrs. Butler is the owner of a 118 acre beef farm in Mono Township, County of Dufferin, and although the Proposed Plan no longer embraces her property she is concerned that in the future her land could again be included without prior notice. The Niagara Escarpment Commission's functions should be transferred to the local municipalities. Any land required for parks, trails, etc. should be purchased. The Commission did not do sufficient research regarding farms she alleges and relied on Provincial Ministry information.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. G 200-11 SUBMISSION NO. 24

AGENT: Graham P. Harris, Vice President

GROUP: Clear Hamilton of Pollution

SUMMARY OF SUBMISSION:

This brief is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan as written and requires no further comment.

FILE NO. G 200-29 SUBMISSION NO. 25

AGENT: Dr. Steven Drotos, Planning Director

GROUP: Township of Flamborough

SUMMARY OF SUBMISSION:

The brief from the Township of Flamborough was presented by its Planning Director, Dr. Steven Drotos, and is generally in support of the Proposed Plan subject to certain amendments contained in a resolution of council paraphrased as follows:

1. That Section 2.6.2 of the Proposed Plan, Urban Group Two, include only those areas of the former Village of Waterdown which merit designation as heritage district under the *Ontario Heritage Act* and not the whole village as presently proposed.
2. That Section 2.9.3 relating to Lot Creation be amended to allow creation of new lots compatible with requirements of regional and local official plans and the reference to the Agricultural Code of Practice be deleted.
3. That Section 2.9.7 of the Proposed Plan, Agriculture, the restrictions be limited only to Classes 1 and 2 lands which would be in conformity then with the Regional Official Plan.
4. That Section 4.1.3, Development Control, be amended to permit all applications for development permits to be considered in accordance with the policies of municipal official plans, zoning by-laws and expressed decisions of council from time-to-time.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in the recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-87 SUBMISSION NO. 26

AGENTS: Kathryn Whaley, Kelly Anderson, Hillary Willoughby, and Antoinette Chambers

GROUP: Milton High School (Students)

SUMMARY OF SUBMISSION:

This submission was made orally by the above four students and they made the following main points:

1. Proposed Plan is good and is necessary to preserve this part of Ontario.
2. Process of producing the Proposed Plan should be speeded up so that development can be controlled in a more efficient way.
3. Detrimental to the Proposed Plan to provide for forceful taking of such lands as required for the Bruce Trail.
4. Would like to see a green belt to protect open spaces from development.
5. Doesn't like to see Plan given to municipalities to administer.
6. Generally supportive of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-28

SUBMISSION NO. 27

OWNER: Harry Zohoruk

SUMMARY OF SUBMISSION:

Mr. Zohoruk takes a very strong view against the whole principle of the Proposed Plan and feels that people's rights are being taken away without compensation. He feels there should be some middle road and that small areas might be protected and not miles as proposed. The matter of land severances is one point which he finds "shocking". He feels the section on agriculture should be expanded. He views the development of estate sized subdivisions as a compatible use for the Escarpment and cited Mount Nemo. It is also his opinion that a great deal of money could be saved if the Niagara Escarpment Commission was dispensed with. He is also of the opinion that his land has been greatly devalued.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-10 SUBMISSION NO. 28

AGENT: Mrs. Elsie Murphy

GROUP: Slow Poke Hikers, Iroquoia Section

SUMMARY OF SUBMISSION:

This submission was in support of the Bruce Trail sections of the Proposed Plan and made the following main points:

1. That consideration be given to making the Bruce Trail lands free of municipal taxation.
2. That lands for the Bruce Trail not be expropriated but only be acquired from willing landowners.
3. That hikers on the Bruce Trail be required to be members of the Bruce Trail Association.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-21

SUBMISSION NO. 29

AGENT: Dr. Gerald Killan, Vice President
Preservation Committee

GROUP: Ontario Historical Society

SUMMARY OF SUBMISSION:

This organization gives its unqualified support to the proposed development control for heritage resources. There are certain areas of the Proposed Plan, however, which they felt should be strengthened. The first of these was Section 2.5 which should contain more stringent criteria for all Minor Urban Areas. In Section 2.9.2, clause 2, they support the concept of conservation easements. In Section 2.10.2 the society feels that land use zoning is not a desirable option.

In Section 3.2.3 it is proposed to add a classification known as Historical Parks. The Society feel that Sections 4.1.1. and 4.1.2 need to set out clearly who will carry out this function and the need for Provincial guidelines.

The final point dealt with the fact that the present Commission membership contains no one with historical expertise.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-22 SUBMISSION NO. 30

AGENT: E.C. Wagg, Deputy Clerk and
E.G. Bergenstein, Mayor

GROUP: Town of Pelham

SUMMARY OF SUBMISSION:

This submission made the following main points:

1. Wants Provincial grants to assist in the costs of bringing local official plans and zoning by-laws into conformity with the Niagara Escarpment Plan made mandatory.
2. Does not want development control to continue.
3. Wants implementation of the Plan to be entrusted to an existing competent agency such as the Niagara Regional Planning Department.

RECOMMENDATION:

None.

REASONS:

Request No. 1 pertains to a change in the *Niagara Escarpment Planning and Development Act* with which we have no jurisdiction.

Request No. 2 and No. 3. These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-38

SUBMISSION NO. 31

AGENT: Frank D. Reiss, Town Planner

GROUP: Town of Lincoln

SUMMARY OF SUBMISSION:

This submission made the following points:

1. Not opposed to the policies and permitted uses proposed for the Escarpment Natural Areas.
2. In Escarpment Protection Areas, wants to see clarification as to whether farm retirement lots are permitted and wants policies to be expanded to include policies for estate residential development.
3. In Escarpment Rural Areas wants a more specific definition of small scale commercial development.
4. In Mineral Resource Areas that new licences of any kind not be permitted without consultation with the local municipality.
5. That a definitive list of criteria be established for the creation of rural estate lots.
6. That the Food Land Guidelines not be used as guidelines for the creation of new lots.
7. That more detailed criteria be established to determine qualifications for heritage buildings (Section 2.9.8).
8. That the Regional Municipality of Niagara be the implementing authority.

EXHIBITS:

47. Town of Lincoln
Certified copy of Planning Committee Minutes adopted

January 14, 1980.

48. Town of Lincoln
Certified copy of Planning Committee Minutes adopted April 2, 1980.

49. Town of Lincoln Official Plan
Certified copy of the Official Plan adopted by Council of the Corporation of the Town of Lincoln, December 6, 1973 - approved by the Ministry of Housing with modifications on April 24, 1978.

RECOMMENDATIONS:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-13

SUBMISSION NO. 32

OWNER: Ms. Valanne Glooschenko

SUMMARY OF SUBMISSION:

Ms. Glooschenko is a biologist by training and her concern is for groundwater and leachate. Another point raised by this witness was that the Bruce Trail should be linked. In view of her concern for water quality it is her opinion that any area with shallow overburden should have limited development.

RECOMMENDATION:

None.

REASONS:

The concerns expressed in this submission deal primarily with matters which will require study on a site specific basis and therefore no comment is necessary in this report.

FILE NO. G 200-64 SUBMISSION NO. 33

OWNER: Donald Sinclair

LAND: Lots 12 and 13, Concession 1 E.H.S.
Mono Township

SUMMARY OF SUBMISSION:

Mr. Sinclair in his brief among other things dealt with methods and techniques of compensation for land in many jurisdictions. It seemed to be his conclusion that development rights in some areas of the Hockley Valley could be acquired and in the Niagara Region development rights could be transferred.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the matters raised in this submission do not fall within our jurisdiction.

FILE NO. G 200-5 SUBMISSION NO. 34

AGENT: B.W. Vanderbrug, General Manager

GROUP: Hamilton Region Conservation Authority

SUMMARY OF SUBMISSION:

At the outset Mr. Vanderbrug pointed out that the Authority was in general support of the Proposed Plan but urged that the Plan be amended to reflect the recommendations made in the brief. These were as follows:

1. That Section 2.2, Permitted Uses, be modified by deleting Item 7, Essential Transportation and Utility Facilities.
2. Section 2.3, Item 8 be modified to read as follows: "Essential transportation and utility facilities subject to Section 2.9.10 Transportation and Utilities".
3. That the maps representing the land use designation be modified to more accurately reflect the different categories referred to in Section 2.6, and further that Section 2.6.2 (A) be expanded to clearly define the basic and overall intent of the Direct Provincial Interest designation.
4. That Section 2.7 be modified as follows:
    (a) That the following item be added to Objectives: recognize areas where intensive recreational and associated development has been undertaken on lands owned by Conservation Authorities.
    (b) That the Criteria for Designation be expanded with the addition of the following criteria: intensive recreation conservation areas as per Section 3.2.3. Parks Classification.

(c) That the following item be added to Permitted Uses: in Conservation Areas specified as intensive recreation areas, uses in conformity with Section 3.2.3 Intensive Recreation Parks.

5. That Section 2.8 be modified to reflect the lack of provision in Bill 127 to protect the Niagara Escarpment.

6. That Section 4.1.5 be modified to reflect the necessity of evaluating the environmental advantages and disadvantages before a shift is made from the Niagara Escarpment to other aggregate resource areas.

7. That Section 2.9 be expanded, particularly as it relates to minium building setback and building height guidelines, and further, that wherever possible, these restrictions be registered on title.

   NOTE: This recommendation also applies to Section 2.9.7 New Development Adjacent to Ravines, Items 1 and 2, and Section 2.9.3 Lot Creation.

8. That Section 2.9.1 be modified by deleting Item 4, and further, that Section 2.9.1, Items 2 and 3 be modified to read as follows:
   Item 2 - An existing use, building or structure may expand, change in use, or be rebuilt in the same location when it can be sufficiently demonstrated that that the objectives of the applicable designation of the Niagara Escarpment Plan are met.
   Item 3 - Where an existing use or the rebuilding of a building or structure in its original location will cause a substantial ecological or visual impact, the property owner shall be encouraged to bring the use into closer conformity with the objectives of the applicable designation of the Niagara Escarpment Plan.

9. That Section 2.9.2, Item 2, second paragraph, be modified to read as follows:
   Development on the lot would otherwise meet relevant municipal, health and servicing requirements in effect on the date this Plan is approved, and is not considered to be hazardous to life or property due to unstable soil conditions or possible flooding.
   That Section 2.9.2, Item 2, be expanded to exempt Conservation Authorities from the proposed responsibilities of the Government of Ontario unless the action is in conformity with existing long range Conservation Authority acquisition and development plans.

10. That Section 2.9.3 and other pertinent sections be reworded to indicate that all new developments are to be compatible with the Agricultural Code of Practice.

11. That the Objective of Section 2.9.4 be changed to read as follows:
    the objective is to ensure that new developments adjacent to streams, lakes and wetlands will not have a deleterious effect on the control of flooding, water quality and/or the conservation of land.

12. That the wording of paragraph one (b), Item 2, Section 2.9.4, be changed as follows:
    No sewage system shall be allowed within the Regional floodplain of a watercourse or below the crest of a ravine without permission of the Conservation Authority having jurisdiction or the Ministry of Natural Resources.

13. That the wording of paragraph three, Floodplains, Section 2.9.4 be changed to read as follows:
    No buildings or structure or placement of fill shall

be permitted in floodplains except where said developments have been approved by the Municipal Council, the Conservation Authority, and the Ministry of Natural Resources in accordance with established floodplain management and development criteria. Where the floodplain of any watershed has not been calculated, the agency having jurisdiction may require that calculations be made by the proponent in accordance with existing Ministry of Natural Resources floodplain development guidelines. No straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse shall be permitted without permission of the Conservation Authority having jurisdiction or the Ministry of Natural Resources.

14. That the Niagara Escarpment Commission, together with the Ministry of Natural Resources, review and if need be, update the guidelines referred to under Section 2.9.9, Item 2, forest management guidelines, and further, that Section 2.9.9, Forest Management, Item 3, be deleted, and further, that a new Item 1 (f) be added to the section to read as follows: Where a public authority cuts trees in accordance with the provisions outlined in Item 2, Section 2.9.9.

15. That Section 2.10.3 be expanded to provide more details on the requirements and step-by-step process to be followed in obtaining an amendment to the Plan.

16. That the rationale for Conservation Authorities' involvement in satisfying the recreational needs of the Niagara Escarpment be elaborated upon in order to substantiate the proposed role of Conservation Authorities.

NOTE: This recommendation also applied to the acquisition of the Bruce Trail (Item 4, Section 4.2.1).

17. That guideline 1 of Section 3.2.4 be modified to indicate that established Conservation Area Master Plan requirements of the Ministry of Natural Resources (Conservation Authorities and Water Management Branch) apply, and further, that guideline 2, Section 3.2.4 be reworded, taking into account the recommendation made under Section 2.7 (Recommendation 4); and further, that all master and management plans prepared for conservation area lands within the Escarpment Parks system will be made to have regard to the parks classification under Section 3 of the Plan, and further; that all master planning and park zoning through the accepted master planning process take precedence over land use policies designations; and further, that additions be made to guideline 3, Section 3.2.4 in order to provide for the use of mechanized trail vehicles for trail development as well as maintenance or emergencies and that tree cutting should be permitted for both wildlife management, trail development and forest management purposes; and further, that guideline 4 (d), Section 3.2.4 be deleted.

18. That Section 3.3 be amended to clearly reflect where the Bruce Trail crosses Conservation Authority land, that the trail be managed by the affected Conservation Authority in consultation with the Bruce Trail Association unless otherwise agreed upon.

    NOTE: This recommendation also applies to Section 3.2.4, guideline 5; Section 4.2.1 and Section 4.2.2. paragraph (b).

19. That Section 3.4, Future Acquisition, be modified to overcome several shortcomings of the proposed acquisition program. The revisions should address the following

concerns:

(a) The need to include in any acquisition program Niagara Escarpment lands in close proximity to urban areas.

(b) The need to recognize established long range Conservation Authorities' acquisition programs along the Niagara Escarpment.

(c) The need to provide for an equitable distribution of funding for escarpment acquisitions throughout the entire planning area.

(d) That all lands recommended for acquisition be placed in a single category and that the Ministry of Natural Resources be responsible for approving funding applications in order to ensure conformity with the objectives of the *Niagara Escarpment Planning and Development Act* and to facilitate quick response to opportunities to acquire important Niagara Escarpment properties.

20. That the Plan provide for a clear description of the role Conservation Authorities are to play in the implementation of the Niagara Escarpment Plan and more specifically, that the following recommendations be made in the Plan:

  (a) That the proposed role of Conservation Authorities in the acquisition and management of the Niagara Escarpment properties be substantiated and that the Provincial Government permit those Conservation Authorities along the Niagara Escarpment to expand their open space and recreation functions.

  (b) That all Niagara Escarpment properties presently designated in long range Conservation Authority acquisition programs be included in the proposed Niagara Escarpment Acquisition Plan.

(c) That all proposed acquisition be placed in one single acquisition category.

(d) That a 75% subsidy be made available to Conservation Authorities to acquire properties within the revised Niagara Escarpment acquisition plan.

(e) That the Plan provide for a 75% subsidy on net maintenance expenses (revenue minus maintenance costs).

(f) That, if required, the existing Master Plan guidelines for Niagara Escarpment conservation areas be updated to accurately reflect the goal and objectives of the *Niagara Escarpment Planning and Development Act* and that these updated guidelines be used by Conservation Authorities in the preparation of development plans.

EXHIBIT:

50. Niagara Escarpment Acquisition Proposals
Acquisition proposed by Niagara Escarpment Commission
. Ministry of Natural Resources
. Conservation Areas
. Ministry of Natural Resources holdings
. Existing Conservation Areas

RECOMMENDATION:

None.

REASONS:

We have given careful consideration to all of the above recommendations and we have attempted to answer, elsewhere in this report, those points which on the overall evidence adduced at the hearing merit consideration. Several of the recommendations contained in this submission are beyond our jurisdiction to deal with.

FILE NO. G 200-93 SUBMISSION NO. 35

OWNER: John V. Lefebure

SUMMARY OF SUBMISSION:

This owner does not support development control for the regulation of land and prefers the use of zoning by-laws. He is not in favour of the Niagara Escarpment Commission, its method of functioning, its reason for being, or its continued existence. All by-laws which were suspended pending disposition of the Proposed Plan should be speedily re-instated.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. G 200-43

SUBMISSION NO. 36

AGENT: William Warwick, Director of Conservation Services

GROUP: Halton Region Conservation Authority

SUMMARY OF SUBMISSION:

This submission made the following recommendations:

1. Escarpment Natural Areas
   Section 2.2
   Criteria 3
   That the Escarpment Natural Areas include, in addition to Provincially significant nature areas, lands which are deemed to be Regionally significant natural areas.
2. Escarpment Protection Areas
   Section 2.3
   Permitted Uses (2)
   That the Permitted Use of single family dwellings in Escarpment Protection Areas be conditional upon such dwellings being compatible with the objectives of the designation.
3. Escarpment Rural Areas
   Section 2.4
   New Lots (1)
   That the creation of new lots be made conditional upon their compatibility with surrounding land uses, and their compliance with municipal and Ministry of Environment requirements for lot size and development suitability.
4. Escarpment Recreation Areas
   Section 2.7
   There is a need to clarify the differences or similarities between Escarpment Recreation Areas and those areas designated as "Parks" under Section 3.2, "the Niagara Ecarpment Parks

System".

5. Mineral Resource Areas
   Section 2.8
   Rehabilitation
   That pit and quarry operators be encouraged to provide for public after-use where feasible of rehabilitated areas, and that the Ministry of Natural Resources, Conservation Authorities and municipalities be encouraged to accept rehabilitated pits for public use.

6. Development on Existing Lots
   Section 2.9.2
   Policy 1 (d) and Policy 2
   That Policy 1 (d) and Policy 2, paragraph 2, be amended to include compliance with applicable Provincial regulations.

7. Development Adjacent to Streams, Lakes and Wetlands
   Section 2.9.4
   That all private sewage disposal systems be located where naturally existing soil, water table and bedrock conditions are such that surface and groundwater resources will not be adversely affected.

8. New Development Adjacent to Ravines
   Section 2.9.5
   That consideration be given to permitting the Conservation Authorities to establish acceptable setbacks for development adjacent to ravines rather than "the implementing body".

9. Recreation
   Section 2.9.11
   That the reference to the Parks Canada Trail Manual as the only accepted guide to trail planning be deleted from the Plan, or softened to a recommendation rather than a

requirement.

10. That the priorities for park acquisition be re-examined and further that consideration be given to grouping all lands proposed for acquisition into one single category, with acquisitions co-ordinated by the Ministry of Natural Resources on the basis of availability, and funding limitations.

11. That the Escarpment Plan be strengthened through the addition of a policy recognizing the Master Planning Process presently carried out by the Conservation Authorities for the Ministry of Natural Resources providing that the development proposed meets with the spirit and intent of the designation, given the lands and the park classification system.

12. That Provincial assistance be provided to the Conservation Authorities for the implementation of the monitoring and environmental impact evaluations required for natural areas.

13. That the Province of Ontario continue to take an active role with respect to monitoring land uses throughout the Escarpment and specifically development control over all development proposed within the Escarpment Natural Areas and Mineral Resource Areas.

14. That recommendation (a) under Policy 4.4.1 be changed to a more positive statement clearly recognizing the Conservation Authorities as prime agencies in providing recreational opportunities consistent with the parks classification in Section 3.2.3.

15. That the concept of a Provincially oriented park system be strengthened by the inclusion of a recommendation in the Niagara Escarpment Plan that a 50% grant be provided to the body administering the parks for maintenance purposes.

16. That the onus for maintaining good quality environmental practices in forest management be left with the Ministry of Natural Resources and Conservation Authorities.
17. That the Mineral Aggregate Protection Areas of the Halton Region Official Plan be overlayed on the Rural Escarpment Areas, and policies incorporated into the text of the Escarpment Plan which will ensure that these areas are not precluded from future aggregate production.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

Many of the recommendations requested by this and other Conservation Authorities pertain more to the increase in powers delegated the Conservation Authorities under Provincial Statutes which were not the subject of these hearings and therefore beyond our jurisdiction.

FILE NO. G 200-52 **SUBMISSION NO. 37**

AGENT: **Stefan Bolliger**

GROUP: **Ontario Association of Landscape Architects**

SUMMARY OF SUBMISSION:

The Association in a lengthy brief indicated strong support for the Proposed Plan. This is best expressed in the brief's concluding recommendations which are as follows:

1. We recommend that the Niagara Escarpment Commission be maintained as the controlling body of the Niagara Escarpment Plan to implement this Plan to retain Ontario's most significant landform.

   We recommend further that along with the Niagara Escarpment Commission the three regional offices be retained and be attached to the Ministry of Natural Resources.

2. We recommend that the Commission revises the Proposed Plan for the Niagara Escarpment to include our recommendations if found to be acceptable.

3. We support the retention of the Gertler line to form a zone of influence. This zone should be registered on all official plans and zoning by-laws and should require applicants for development within this zone to submit their proposals to the Niagara Escarpment Commission for comments.

4. We recommend that a master plan be prepared to accompany the Proposed Plan. The area of the master plan should be the area of the conservation/preservation zone within which the Escarpment Park System will be the key element or spine of the overall master plan.

5. We propose that the Commission prepares or have prepared

by qualified firms a Design Criteria to include State of the Art criteria.

6. We further propose that site plans based on sound environmental analysis be submitted for all proposals which are located within the conservation/preservation zone boundary, with the purpose to assure that the intended uses will be physically compatible and is to keep the master plan updated at all times.

RECOMMENDATION:

None.

REASONS:

This submission was in general support of the Proposed Plan and the recommendations set out above in our opinion are much too onerous on landowners bearing in mind the restrictions already included in the Proposed Plan and therefore are not acceptable.

FILE NO. G 200-88

SUBMISSION NO. 38

AGENT: S. Kovacic and other students

GROUP: Aldershot High School

SUMMARY OF SUBMISSION:

This submission by students in the Grade 11 Urban Studies Geography course was in support of the Proposed Plan but would like to see the Province's land acquisition grants to be 75%.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-54 SUBMISSION NO. 39

OWNER: J. Douglas Howes

SUMMARY OF SUBMISSION:

This submission consisted entirely of opposition to the Proposed Plan since Mr. Howes can see no need for such a Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. G 200-74 SUBMISSION NO. 40

AGENT: Keith Thomson, M. Kramer and B. Wallace

GROUP: Ancaster Outers Klub

SUMMARY OF SUBMISSION:

This oral submission was entirely in support of the Proposed Plan and particularly the preservation of the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-4 SUBMISSION NO. 41

OWNER: Mrs. Roy Summers

SUMMARY OF SUBMISSION:

This oral submission expressed concern about the cost of the hearings and suggested that agriculture and recreation are not compatible. Mrs. Summers also expressed doubt that Ontario Hydro owns Lake Gibson as stated on page 45 of the Proposed Plan.

RECOMMENDATION:

The ownership of Lake Gibson should be reviewed before the Plan is finalized.

No other recommendation as far as the rest of the submission is concerned.

REASONS:

There appears to be some doubt as to the ownership of Lake Gibson.

The other matters are dealt with elsewhere in this report.

FILE NO. G 200-67

SUBMISSION NO. 42

AGENT: Robert C. O'Dell

GROUP: Lookout Point Golf and Country Club Limited and Concerned Citizens for the Fonthill Kame Moraine

---

SUMMARY OF SUBMISSION:

The concern of these two organizations revolves around the wording or inadequacy thereof of certain sections in the Proposed Plan dealing with the mineral extraction industry. They are generally in support of the Proposed Plan but would request certain amendments be made as follows:

> That Section 2.8 Mineral Resource Areas, paragraph 2 under Objectives be amended by adding the words, "... only when all possible extraction locations have been substantially developed in the Escarpment Rural Areas will consideration be given to amendments in the Escarpment Protection Areas. Amendments to permit pits and quarries in the Escarpment Natural Area will not be permitted."

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-91 SUBMISSION NO. 43

OWNER: J.P. Charlebois

SUMMARY OF SUBMISSION:

This submission made the following points and concerns:

1. Concerned that boundaries of the Proposed Plan not be reduced.
2. There should be a quota established for the number of new lots that can be created.
3. Section 4.1.2 should be amended so that implementation not be delegated.
4. The Niagara Escarpment Commission should remain in control of the Plan.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-20

SUBMISSION NO. 44

OWNER: Warren Wiley

SUMMARY OF SUBMISSION:

This submission was generally in support of the Proposed Plan but suggests the Plan should include compensation provisions for land acquisition and easements. It also suggests that changes in land use for recreation purposes be carefully considered for effects on adjoining landowners and that all changes in land use be subject to prior notification.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-92 SUBMISSION NO. 45

AGENT: D.H. Matthews

OWNER: Clarence Hewitt

SUMMARY OF SUBMISSION:

Mr. Matthews appeared as an agent for his father-in-law, Mr. Hewitt. His basic submission was that the overall Plan is excellent but that in the case of Mono Mills there should be more detailed planning. In the case of Section 2.5, paragraph 3 under Objectives, four of the minor urban centres are in the Escarpment Protection Area so the phrase Protection Area should be deleted. In the case of boundaries of Protection Areas he would like to see a phrase "which is in general conformity with the Niagara Escarpment Plan". He also feels that local plans will more clearly define the Protection Areas. He also indicated that the good judgement of the local planner should not be compromised by the Proposed Plan and in fact the historic rights and plans of local municipalities should not be overridden.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-34

SUBMISSION NO. 46

AGENT: Marion Beaton, Paula Rupert and Sandra Krisch (Students) and Dr. Paul Tamblyn (Teacher)

GROUP: Acton High School

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the Bruce Trail and supported the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support of the Proposed Plan and requires no further comment.

FILE NO. G 200-41 SUBMISSION NO. 47

AGENT: Warren Wiley

GROUP: Niagara Escarpment Interest Groups Advisory Committee

SUMMARY OF SUBMISSION:

This submission made the following recommendations:

1. That if any Federally owned lands or land under Federal jurisdiction which includes the Escarpment or land in its vicinity (e.g. Meaford Tank Range), is returned to Provincial jurisdiction, such lands be included within the Niagara Escarpment Plan at an appropriate time.
2. That if the Tobermory Islands are acquired by the Federal Government they should be subject to Provincial planning jurisdiction under the Niagara Escarpment Plan.
3. Re Sections 2.2, 2.3 and 2.4
   That recreation uses in public parks include within their boundaries a buffer strip to protect adjoining private property.
4. Re Section 2.2 Escarpment Natural Areas
   That Objective No. 2 be amended by adding the word 'passive' to read: To permit compatible passive recreation and conservation activities. That permitted uses 4 under this part be amended to read: Passive recreation relating to trail activities, nature viewing and public parks. Passive recreation in this instance shall not include snowmobiling, trail biking, or other motorized vehicles.
5. Re Section 2.3 and Section 2.4

That under the respective "New Lots" policies, subsection 2 of Section 2.3 (Escarpment Protection) and Section 2.4 (Escarpment Rural) before the sentence beginning ..... "The creation of a lot by a public body ....." the following be inserted:

> In consideration of any severances in this instance, attention must be paid to Section 2.9.7 Agriculture which states:
>
> Municipal official plans are expected to apply the Food Land Guidelines (1978) of the Ministry of Agriculture and Food. Therefore on Classes 1 - 4 agricultural lands as identified by a municipality in its official plan or by-laws, the lot creation policies of Escarpment Rural and Escarpment Protection Areas are replaced by lot creation policies of the Food Land Guidelines.

6. That throughout the Plan wherever the phrase "subject to Section 2.9 Development Criteria" occurs, this phrase be so illustrated as to draw attention and be noticeable.

7. Re Section 2.4 Escarpment Rural
   That a further objective be added to read as follows: "4. To permit compatible aggregate extraction."

8. Section 2.8 Mineral Resource Areas
   (a) That the Niagara Escarpment Commission show its recognition of mineral aggregates as an important Provincial resource, by indicating in the Proposed Plan, high quality mineral resource areas;
   and
   (b) That in Section 2.8, Mineral Extraction, under new licences, No. 2 be modified to read: "New licensed areas producing more than 20,000 tonnes

annually, may be permitted in Escarpment Rural areas subject only to a development permit and licence from the Ministry of Natural Resources and subject to the *Pits and Quarries Control Act*, 1971 as amended or its successor."

9. Re Section 2.9.2 Development on Existing Lots
   That appropriate measures be taken by the government so that the system works efficiently.

10. Re Section 2.9.3 Lot Creation
    That a further policy be added to read:
    "9. The creation of new lots should avoid sterilizing land for the extraction of high quality mineral resources."

11. Re Section 2.9.4 New Development Adjacent to Streams, Lakes and Wetlands
    That the phrase "whichever agency has jurisdiction" be inserted after "Ministry of Natural Resources" to read:
    "3. No building or structure shall be permitted in identified floodplains except where the building or structure has been approved by the municipal council, the Conservation Authority, or the Ministry of Natural Resources, whichever agency has jurisdiction, in accordance with established floodplain management and development criteria."

12. Re Section 2.9.7 Agriculture
    That Part 1 of Section 2.9.7 be amended to read:
    "1. Municipal official plans shall apply the Ontario Food Land Guidelines (1978) of the Ministry of Agriculture and Food.

13. Re Section 2.10.3 Amendment to the Niagara Escarpment Plan
    That the Plan amendment procedure be greatly simplified and the *Niagara Escarpment Planning and Development Act* be changed appropriately.

14. Re Section 3.4 Future Acquisition
    That any land purchased by the Government for the Niagara Escarpment Park System should continue to be subject to the same municipal tax assessment and taxation as land in private ownership.

15. Re Section 3.6 Methods of Land Acquisition
    That the Government actively encourage the donations of land for purposes of implementing the goal and objectives of the Plan, and that Section 3.6 should have another subsection added, stating:
    "9. Deferred Payment Plan - consideration should be given to a method such as debenturing for land acquisition for the Parks System."

16. Re Section 4.1 Administration and Implementation of the Plan
    (a) That if the Niagara Escarpment Commission is dissolved, the implementing body referred to in the Proposed Plan be an appointed Government agency adequately staffed, and responsible to the Provincial Secretary for Resources Development. Its function should be to review, coordinate and monitor the municipalities, Provincial Ministries and agencies in their implementation of the Niagara Escarpment Plan. This agency would also implement the land acquisition policies of this Plan. The members appointed to this agency should be committed to the implementation of the purpose and objectives of the *Niagara Escarpment Planning and Development Act*, as, incorporated in the Niagara Escarpment Plan.
    (b) Administration of development control should be done at the Regional Municipality or County level subject to monitoring by a Provincial agency. This agency could be the Commission or a replacement of the Commission. The duties of the agency should include the monitoring of decisions made on development

proposals, subdivisions, consents to sever land, road building, etc.

(c) The new agency should monitor the activities and decisions of the Government and Conservation Authorities within the Proposed Parks System.

17. Re Section 4.1.7 Development Control - Notification of Decision

That the *Niagara Escarpment Planning and Development Act* be amended to require that assessed owners of lands within 400 feet (122 metres) be notified before decisions are made on development permit applications.

18. Re Section 4.2.2 Recommendations on the Bruce Trail

(a) That a statement be included in subsection (a) to the effect that a landowner has the right to refuse access to his property.

(b) That a statement be added to subsection (c) to read: "..... and that the Government consider the payment of compensation to landowners whose property may be damaged."

19. Re Section 6.1 Definitions

That trail activities should not include snowmobiling or trail biking except where specifically allowed in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report. Many of the recommendations contained above include matters in which the hearing officers have no jurisdiction, e.g.

recommendations of legislative changes both Provincially and Federally.

FILE NO. G 200-48 SUBMISSION NO. 48

AGENT: Mel Swart

GROUP: New Democratic Party (Ontario)

SUMMARY OF SUBMISSION:

Mr. Swart pointed out that the New Democratic Party fully supports the purpose of the *Niagara Escarpment Planning and Development Act*, however, he felt that the Proposed Plan falls far short of meeting the objectives. He dealt with the Plan under five main headings:

1. Development of Existing Lots:
   Wants the provision for automatic approval deleted where the Government does not purchase the land. Feels that the creation of further lots has to be slowed.

2. Creation of New Lots:
   Doesn't want automatic approval if the criteria is met and should be removed from the Plan. Creation of new Minor Urban Centres should require a Plan amendment.

3. Mineral Resource Areas:
   Would like licences modified and/or site plans where large areas of unextracted minerals remain. Doesn't want any licences approved without an amendment to the Plan including wayside pits.

4. Plan Implementation:
   Feels it is imperative that an ongoing Niagara Escarpment Commission oversee the implementation and functioning of the Plan throughout the entire length of the Escarpment.

5. Hearing Process:
   Here Mr. Swart raised matters which are beyond the

juridiction of this panel.

6. Mr. Swart proposes that when the Proposed Plan is approved and incorporated into local official plans that the areas covered be removed from development control.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-9 SUBMISSION NO. 49

AGENTS: Mrs. Eluned J. MacMillan and Joseph Curtin

GROUP: Coalition on the Niagara Escarpment (C.O.N.E.)

SUMMARY OF SUBMISSION:

This submission was presented in two parts, the first portion presented by Mrs. MacMillan and the second by Mr. Curtin. It should also be noted that the group consists of nine separate organizations which are listed below:

1. The Federation of Ontario Naturalists
2. The Sierra Club of Ontario
3. The Foundation for Aggregate Studies
4. The Canadian Environmental Law Association
5. Pollution Probe
6. The Canadian Nature Federation
7. The Federation of Ontario Hiking Trails Association
8. The Soil Conservation Society of America (Ontario Chapter)
9. The National and Provincial Parks Association of Canada (Ontario Chapter)

Mrs. MacMillan in her presentation dealt with the objectives of the organization and gave background information as to its formation. She also cited certain Provincial Government statements and feels that the Proposed Plan endeavours to carry these out. It is quite evident that C.O.N.E. does not agree with all parts of the Plan but "there is much with which we concur".

Mr. Curtin presented a lengthy and carefully prepared brief which he summarized in his verbal evidence. Many portions of the brief dealt with recommendations to amend various Acts of the legislature.

Certainly one of the strong recommendations made was that development control remain with the Niagara Escarpment Commission who may in turn delegate certain matters to municipalities. In the matter of mineral extraction, they recommend that no further extraction be permitted in Escarpment Natural or Escarpment Protection Areas and that wayside pits be permitted only in Escarpment Rural Areas. The Coalition also feels that the past record of approving applications is bad and should be greatly improved. Several suggestions were made to amend the text under the headings listed in Section 2. It is quite apparent that C.O.N.E. feels that the lack of funds for acquisition of land will do great harm. It also feels that Conservation Authorities are either not able or willing to carry out their function with respect to parks. The group also appeared to be opposed to the proposed role of the Ministry of Natural Resources.

In addition to these two witnesses, Dr. Donald Britten gave a paper on the many fern species which are to be found on the Niagara Escarpment.

It can also be safely concluded that C.O.N.E. is opposed to the idea of expropriating people's lands and on this point agree with the Bruce Trail Association. It also seems to feel that the words in the Proposed Plan which are permissive should be changed to mandatory and remove a lot of the flexibility of the Plan.

This submission is further summarized as follows:

2.2 Escarpment Natural Areas

Concur subject to change as follows:

In Point 2 under Objectives insert the word "passive" before the word "recreation".

Add a Point 3, under Objectives:

"3. To set aside candidate areas for this purpose.

Under Permitted Uses strike out entirely Point 3.

Under Permitted Uses, Point 4, adding the words: "...but not motorized trail activities excepting emergency and enforcement vehicles.

Point 5 Add "...compatible with the objectives of the *Niagara Escarpment Planning and Development Act.*"

2.3 Escarpment Protection Areas

Concur subject to the following change: Under Existing Lots strike out word "generally". Strike out Point 9 renumbering to adjust.

2.4 Escarpment Rural Areas

Concur subject to following changes: Under Permitted Uses, Point 8, strike out the words "aggregate extraction, including ..."

Add "subject to a tonnage and acreage limit."

Under Existing Lots strike out the word "generally".

Under New Lots that Point 3 be stricken out and replaced with the words: "Also, new lots may be created by low gross density-high net density Packaged Unit Development plans of subdivisions. These may be subject to *The Condominium Act* or other compatible forms of land division."

Add a Point 4: The Ontario Food Land Guidelines shall apply to all lands in this category in conjunction with the criteria set out above.

2.5 Minor Urban Centres

Concur subject to following changes:

The word "shall" to replace the word "should" throughout.

Under Growth Objectives, Point 2, strike out the words, "Where appropriate ..."

Point No. 4, strike out the word "generally". Replace the word "preferred" with the word "required".

Add a Point 7:

"7. The objectives set out for Heritage under (2.9.8) of the Plan shall be applied."

Change last paragraph of Criteria for Designation by striking out the words "..do not..." and replacing them with the word "...shall...".

2.6.1 Urban Group One

Concur subject to the following changes.

Add after the words "Applicable to ..." the words "...areas so designated under the Plan within:"

Under Permitted Uses and New Lots strike out the words "where applicable..."

Strike out the word "as..." replacing with the words "Which shall be..."

Under Growth Objectives change the word "should" to the word "shall" throughout.

2.6.2 Urban Group Two

Concur subject to changes as follows:

Part "A", strike out title and change to "Urban Escarpment Areas".

Part "B", Outer Areas, change wording to conform to the above by striking out the words "Areas of Direct Provincial Interest" replacing them with the words "Urban Escarpment Areas".

Under Growth Objectives change word "should" to "shall" throughout.

2.7 Escarpment Recreation Areas

Concur subject to the following changes:

Strike out Point 3 under Objectives.

Change Point 4 by striking out after the words "...recreation areas..." and replacing the words "official plans and secondary plans shall be brought into consort with the requirements of the Escarpment Natural Areas and Escarpment Protection Areas of the Plan and such designations shall be mapped as part of the Proposed Plan."

Under New Lots strike out the word "...preferably...". Replace the words "...should occur..." with the words "shall take place".

Replace the word "condominium" with the words "subject to *The Condominium Act*..."

Strike out the word "ownership..." and replace with the word "...creation...".

Under "Official Plans" change the word "may" to the words "...may not...".

Strike out the word "...requiring...".

2.8 Mineral Resource Areas

Concur subject to the following change:

Add after the last sentence of the preamble, a paragraph: "Under proposed *The Aggregates Act*, C.O.N.E. recommends that the application of the new Act be made pervasive of the Province but that no permits or licences be issued for activities within the Niagara Escarpment Plan Area without a certificate of approval issued by the Niagara Escarpment Commission."

Under New Licences strike out Point 1, 2, and 3 replacing with the words:

"1. Wayside pits may be permitted in Escarpment Rural Areas only and subjct to *The Pits and Quarries Control Act, 1971*, or its successor as amended in a proposed draft by The Canadian Environmental Law Association and as outlined in a brief to the Standing Committee on Resources of the Ontario Legislature by the Coalition on the Niagara Escarpment and subject to an acreage and tonnage limit."

Under Accessory Uses strike out words, "...and asphalt plants."

Under Rehabilitation strike out the words "...wherever possible..."

Under Existing Licensed Areas strike out the words "...implementing body..." and replace with the words "...the Niagara Escarpment Commission..."

Strike out the words "...in consultation with..." and replace with the words "...with the approval of...". Under Existing Licensed Areas add a paragraph 3, viz., "Where existing licences conflict with undisturbed Escarpment slopes, stream valleys, wetlands and other significant nature areas the Commission shall in conjunction with the Ministry of Natural Resources and the licensee relocate the licensed area outside the Escarpment Natural Area. Without affecting the generality of the foregoing the following licensed areas shall be given priority:

1. Dufferin Aggregates.
2. Lion's Head pit at Eastnor Bay.

2.9 Development Criteria

Concur with change of word "will" to use word "may" in the phrase "all the criteria may not apply...". Change words "...The implementing body..." to "...The Commission...".

2.9.1 Existing Uses

Concur subject to change as follows:
In Point 2, strike out the word "...sufficiently...".

2.9.2 Development on Existing Lots

Concur subject to changes as follows:
In Point 2, add after the words "Government of Ontario or the Niagara Escarpment Commission through the Niagara Escarpment Lands Funds...".
Strike out after "....and the government".
Strike out the paragraph beginning "If in one year...".
Replace with the paragraph: "Seek a purchaser prepared to buy the property at fair market value for resale or retention in conformity with the objectives of the Proposed Plan designation.
In Point 3, change the word "should" to "shall".
In Point 6, strike out the word "may".

In point 7, change word "should" to the word "shall".

2.9.3 Lot Creation

Concur subject to following changes:

Change word "should" to "shall" throughout, excepting in Point 3, change word "should" to "is to".

In Point 6, change first sentence to read:

"In Escarpment Rural Areas new lots may be created by a limited number of low gross density-high net density rural plans of subdivision, packaged unit developments, or by reference to *The Condominium Act* as provided for in local official plans."

2.9.4 New Development Adjacent to Streams, Lakes and Wetlands

Concur subject to change of the word "should" to "shall" throughout.

2.9.5 New Development Adjacent to Ravines

Concur subject to change of word "should" to "shall" throughout.

2.9.6 New Development Within Wooded Areas

Concur subject to change of word "should" to "shall" throughout.

2.9.7 Agriculture

Opposed to Point 1.

Strike out Point 1 and replace with:

"Agricultural lands of all classifications shall be subject to the requirements of the component of this Plan covering Escarpment Rural Areas as set out and amended in 2.4."

Point 2, concur.

In Point 3, strike out the word "should" replacing with word "shall".

2.9.8 Heritage

Concur subject to change of the words "should" and "could" to "shall" throughout.

In Point 3, paragraph 3, strike out the word "very".

2.9.9 Forest Management

Concur subject to changes:

Replace words "implementing body" with the words "Niagara Escarpment Commission" and word "should" with word "shall".

2.9.10 Transportation and Utilities

Concur subject to changes as above.

2.9.11 Recreation

Concur subject to change of word "should" to "shall" throughout.

2.9.12 Escarpment Recreation Areas

Concur.

2.9.13 Mineral Resources

Concur subject to following changes:

In Point 1, strike out the words "Extraction licences including ..." and words "...have regard to..." and add words "not be at variance with:" that is to say, "Wayside pit permits granted shall not be at variance with:"

In Point 2, concur subject to change of word "edge" to word "brow".

2.10 Implementation of Land Use Policies

Opposed. Strike out and replace with: "The Niagara Escarpment Plan will be the document approved by the Lieutenant-Governor in Council as provided in Section 10 SS-11 of the *Niagara Escarpment Planning and Development Act*".

2.10.1 Relationship to Local Official Plans and By-Laws

Concur.

2.10.2 Land Use Control - Implementation

Concur subject to following changes:

Paragraph 1, line 2, change word "is" to words "shall be".

Strike out the word "preferred".

Paragraph 1, line 3, strike out the words "most of".

Paragraph 3 change to read:

"The *Niagara Escarpment Planning and Development Act* shall be amended to make provision for the delegation by the Niagara Escarpment Commission of its authority to issue development permits to a county or regional municipality or to a city outside a regional municipality or county subject to conditions as it sees fit and subject to revocation of such power upon failure to perform on the part of the recipient."

"The authority to control land subdivision as set out in Part VI of the new *Planning Act* for Ontario is a necessary adjunct to the powers of development control. The Commission should have delegated to it by the Minister of Housing the subdivision control and severance consents authority which that Minister is now allowed to delegate to municipal councils. Further there should be powers of sub-delegation by the Commission to regional municipalities, counties and cities outside either subject to conditions.

2.10.3 Amendments to the Niagara Escarpment Plan

Concur subject to the *Niagara Escarpment Planning and Development Act* being amended to permit appeals to the Ontario Municipal Board and Cabinet and providing for ratification of amendments by the Assembly as in Section 3-3 of the *Niagara Escarpment Planning and Development Act*.

2.10.4 Review of the Niagara Escarpment Plan

Concur subject to the following changes:

The *Niagara Escarpment Planning and Development Act* should be amended to require the Plan when reviewed in the five-year period to be ratified by the Assembly.

Add a paragraph:

"Within the Niagara Escarpment Proposed Plan provision shall be made for monitoring and evaluation to assess the effectiveness of the Plan and its implementation. This should include:

a) Information gathering.
b) Monitoring performance.
c) Information dissemination.
d) Modification of standards, criteria, methodologies and techniques.
e) New or alternative plan formulations.
f) Annual report embodying program evaluation and review and corrective measures."

Escarpment Parks and Acquistion Policies

3.1 Past Acquisition Programs

Note is made of the "serious problems" created for the Commission by unilateral withdrawal of acquisition funds by the Provincial government.

Conservation purchases have "virtually stopped".

"Funds also ceased to be available for direct Ministry purchases," it is stated.

A "modest" acquisition program has now been resumed by the government.

These statements bode ill for the program with which the Plan proposed to deal.

3.2 The Niagara Ecarpment Parks System

A heavy burden of coordination between eight

Conservation Authorities, the Ministry of Natural Resources and the Parkway Belt Plan is proposed. This requirement will demand a very efficient, stable and currently operating institution with a firm and clear mandate and direct access to, and familiarity with, the coordinative elements of the Provincial government (The Provincial Secretary for Resource Management) and through him the Premier and Cabinet itself.

3.2.1 Objectives

Concur.

3.2.2 Organization

C.O.N.E. does not share the optimism of the Commission that the Conservation Authorities are either able or willing to perform the duties which the preservation of the Niagara Escarpment would impose upon them. While it is true that at all times the vital instrument of the Conservation Authority should be employed or, at least, consulted and deferred to, it is to be remembered that Conservation Authorities have their own substantial chores and objectives and that they levy a mandatory fiscal burden upon the municipalities in their watersheds in order to perform their work. It is felt that it is unfair to ask that this special Provincial-scale challenge to preserve the Escarpment for all of the people of the Province be carried in any part by the limited finances of rural and small town Ontario.

C.O.N.E. has proposed therefore that the Commission be given under amended legislation the power to purchase, maintain and operate as an agent of last resort those properties vital to the Escarpment Parks system.

3.2.3 Park Classification

Change: "Natural Environment Recreation Parks" to "Natural Environment Parks" and "Intensive Recreation Parks" to "Recreational Parks".

3.2.4 Guidelines for Park Master Plans

Concur subject to the following changes:

First paragraph, second sentence, after the words "appropriate conservation authority" add the words, "or the Niagara Escarpment Commission".

Point 4, paragraph (d) adding the words "and the Commission" after the words "Ministry of Natural Resources".

3.3 The Bruce Trail

Concur subject to the following changes:

Paragraph 3 after the words "the Bruce Trail Association", add the words "...the Niagara Escarpment Commission..."

3.4 Future Acquisition

Concur.

3.5 Role of the Ministry of Natural Resources

Opposed. The following is substituted:

"The Niagara Escarpment Commission shall coordinate the planning and development of the Niagara Escarpment Parks System. The Ministry of Natural Resources shall act in an advisory and support role excepting that where parks are under the control of the Ministry or are under other auspices and in contract with the Ministry of Government Services the internal management and planning of such parks shall lie outside the purview of the Commission and within that of the Ministry.

3.6 Methods of Land Acquisition

Concur subject to the following change:

Add after No. 8

"9. The Niagara Escarpment Lands Fund and the Niagara Escarpment Commission be described by Amendment to the *Niagara Escarpment Planning and Development Act* as subject to *The Mortmain and Charitable Uses Act* so that gifts of money and of land may be made to them."

3.7 Proposed and Existing Escarpment Parks

Concur.

General Recommendations

4.1 Administration and Implementation of The Plan

C.O.N.E. agrees that a major burden of coordination and cooperation must be assumed to implement the Proposed Plan and to assure that it does not become a token statement such as the Toronto Centred Region Plan. It must be stressed that a firm and experienced agency having the support of municipal government and with access to senior government is required. This is no job for an ad hoc blending of existing institutions and a casually named Minister of the Crown. Coordination of its complex of ministries and agencies is a goal that has up to this date eluded the Province. Only a strong agency can even dream of attempting the same effort on behalf of the Escarpment. A grave lack of Provincial policy on which to base such longed for notions of coordination will also render useless anything but a cohesive and well-structured Escarpment institution. Standardization of policies will not emerge, adequate policy formations and review will not take place unless a specific body is set up and charged with the ongoing care of the Escarpment.

4.1.1 Functions to be Performed

Concur subject to the following changes:

Point 6, Points 1, 2 and 3, striking out the words appearing in parenthesis.

Adding a Point 9:

"9. The ongoing planning of the designated plan area together with such investigations and studies, public meetings, preparation of maps and texts, consultations as shall serve to preserve the integrity of the planning objectives established under the *Niagara Escarpment Planning and Development Act.*"

Adding a Point 10:

"10. Administering as an agent of last resort such park facilities as are vital to the Plan but for which no commitment is immediately forthcoming from other agencies or institutions."

4.1.2 Provincial and Municipal Roles

Opposed. C.O.N.E. wishes to modify this section by striking out the first and second paragraphs, and replacing them as follows:

"It has been Provincial policy to declare the Niagara Escarpment a unique natural resource of interest to all Ontarians. A special and difficult planning and coordination role has been assigned to protect it.

"The Niagara Escarpment Commission in its present form, but with an improved cross-section of representation in its membership from the Province as a whole and society in all its parts being requested, should be continued. In addition it should be charged with an on-going specific planning role for the Escarpment.

"The Commission shall be granted authority necessary to its task of assuring adequate land and parks acquisition by its being given powers, as under the *Conservation Authorities Act*, to borrow money, to purchase and sell land and to receive gifts and bequests and senior government grants. A special fund called The Niagara

Escarpment Lands Fund should be established in the Consolidated Revenue Fund to facilitate this function.

"The Commission should not be given authority or powers for the expropriation of land.

"All funds for the Commission in light of its special mission to the people of Ontario as a whole should come from the Provincial government rather than any local levy. This would not limit bequests or revenues as shall from time-to-time accrue to the Commission.

"The Commission's future role has strong precedent of organization and operation in the *Niagara Parks Act* and *The National Capital Act*.

"A strong organization with a clear and firm mandate is required to cope with the powerfully contending forces hostile to the achievement of the Commission's responsibilities under the *Niagara Escarpment Planning and Development Act*."

4.1.3 Land Use Control: Development Control and/or Zoning By-laws

No objection.

4.1.4 Development Control and the Niagara Escarpment Plan

Concur.

4.1.5 Implementing Body for Land Use Controls

Strongly oppose paragraphs following paragraph 1. Strike out balance of text and replace as follows:

"Once the Plan is approved an even stronger reason for the continuance of a body experienced in the use of this new planning instrument, development control, exists.

"It is proposed that the *Niagara Escarpment Planning and Development Act* be amended to continue the Commission and to delegate development control and subdivision and severance control permanently to the Commission with power to delegate both the counties and regions or cities outside of regions and counties on request and subject to conditions, one of which shall be recipient's exhibiting compentence and resolve to exercise these controls. The Commission shall have power to revoke this authority.

4.1.6 Development Control - Delegation of Cities in Regional Municipalities

Concur subject to the above (4.1.5 changes).

4.1.7 Development Control - Notification of Decisions

Strongly concur with the proviso that the *Niagara Escarpment Planning and Development Act* be amended to provide for notice of hearing in advance instead of notice of decision after the fact.

4.1.8 Development Control - Appeals

Concur subject to change as follows:

Strike out second last paragraph and in light of the special Provincial interest in the Escarpment replace with:

"It is recommended that appeal against an Ontario Municipal Board decision shall lie to Cabinet."

4.1.9 Recommendations on Implementation

Concur subject to change as follows:

Strike out all of Point (b) and replace with the words:

"b) The *Niagara Escarpment Planning and Development Act* be amended so that the Ministry may permanently delegate to the Commission the authority to issue development permits and further that the Commission may in writing and subject to such conditions as it considers appropriate delegate this authority to counties and regions subject to their performance."

Strike out Point (g) replacing with the words:

"g) The *Niagara Escarpment Planning and Development Act* be amended so that the procedure on appeals may lie from

the Ontario Municipal Board to Cabinet".
Strike out Point (h) and replace with the words:
"h) *The Planning Act of Ontario* be amended so as to permit delegation of control of the subdivision of land within the planning area to the Niagara Escarpment Commission with power to sub-delegation to counties, regions and cities."

4.2 The Bruce Trail
Concur subject to change as follows:
Strike out paragraph 6 starting, "To follow..." down to "...unthinkable."

4.2.1 Stabilization of the Trail
Concur subject to the following change:
Point 4, strike out the word "timely" and replace with the word "immediate".

4.2.2 Recommendations on the Bruce Trail
Concur.

4.3 Scenic Drives
Concur.

4.3.1 Recommendations on Scenic Drives
Concur.

4.4 Conservation Authorities and Recreation
Concur.

4.4.1 Recommendations on Conservation Authorities and Recreation
Concur.

4.5.1 Recommendations on Significant Geological Areas
Concur.

4.6 Important Nature Areas
Concur.

4.6.1 Recommendations on Important Nature Areas
Concur.

4.7 Heritage

Concur.

4.7.1 Recommendations on Heritage

Concur subject to change as follows:

Point (f), insert after "Resources" and before "ensure" the words "...and the Niagara Escarpment Commission..."

4.8 Tourism and Recreation

Concur.

4.9 The Tobermory Islands

Concur.

4.9.1 Recommendations on the Tobermory Islands

Concur subject to change as follows:

Striking out after "Parks Canada..."

4.10 Forestry

Concur.

4.10.1 Recommendations on Forestry

Concur subject to following change:

In Point (c), insert before the word "permits", the word "posted".

4.11 Wildlife

Concur.

4.11.1 Recommendations on Wildlife

In Point (d) add after "upland game birds" the words "...and non-game wildlife..."

(e) Conservation easement or management agreement program should be encouraged for wildlife habitats on private land.

4.12 Fisheries

Concur.

4.12.1 Recommendation on Fisheries

Concur.

4.13 Agriculture

Concur subject to following change:

Strike out last sentence beginning "The maintenance of".

4.13.1 Recommendation on Agriculture

Concur.

4.14 Transportation and Utilities

Concur.

4.14.1 Recommendation on Transportation and Utilities

Concur subject to following change:

For the word "should" substitute the word "shall".

4.15 Mineral Resources

Concur subject to the following changes:

In paragraph 14 commencing "The Commission ..." strike out the parenthesis (except wayside pits). In the next sentence strike out the word "Protection" and substitute for it the word "Rural".

In paragraph 19 commencing "While the existing..." strike out the word "not" and replace it with the words "no longer". Strike out the words, "for all times".

In paragraph 20, second sentence, strike out word "Three" and replace with word "Two..." Renumber points ensuing accordingly.

Strike out next paragraph starting "There are known..."

4.15.1 Recommendations on Mineral Resources

Concur subject to following changes:

In Point (c) strike out the words "dredging for sand and gravel in Lake Ontario..."

In Point (d) Strike out the words "except for wayside pits..." Strike out the word "Protection" and replace it with the word "Rural".

6.1 Definitions

Under Wayside Pit add the words: "...and is subject to a certificate of approval issued by the Commission in writing which shall set out a tonnage per annum and gross tonnage limit and an acreage limit."

RECOMMENDATION:

None.

REASONS:

This submission was largely in support of the Proposed Plan although many reservations were expressed and amendments suggested which we have very carefully considered and made recommendations or comments on elsewhere in this report. It is further noted that we have not considered items which are beyond our jurisdiction, such as suggested amendments to various Provincial Statutes. Many of the comments contained in this submission relate in a derogatory manner to methods of operation of the Provincial Government which in our opinion detracted from the credibility of this submission.

FILE NO. G 200-55 SUBMISSION NO. 50

AGENT: Hugh T. Lemon

GROUP: St. Edmunds Property Owners Assocation

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the effects of the Proposed Plan on the Township of St. Edmunds but it did however set out the following recommendations of general concern:

1. Re Section 2.9.2 (2)
   The acquisition period should be reduced to six months.
2. Re Section 2.9.11 (4)
   Snowmobiles and other motorized vehicles must be prohibited not just avoided.
3. Re Section 4.1.2
   The administration of the Plan should be carried out locally to the fullest extent possible.
4. Re Section 4.1.7
   Notice should be mailed directly.
5. Re Section 4.14.1
   Transportation and utility facilities should be prohibited from Escarpment Natural Areas.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-33 SUBMISSION NO. 51

AGENT: David Greenfield

GROUP: Rattlesnake Point Citizens Group

SUMMARY OF SUBMISSION:

This submission while generally supportive of the Proposed Plan makes the following recommendations:

1. That the consideration of land divisions by severances within the area of the Proposed Plan be undertaken by the Niagara Escarpment Commission only.
2. That where applications for development permits are received for such things as gravel pits, subdivisions and condominiums that consideration be given to expanding the notice area to be those within an area up to five kilometres.
3. That "asphalt plants" should be prohibited in the Mineral Resource Areas and other development control zones.
4. That Development Criteria, Section 2.9.13, should apply to new mineral extractive operations and to new accessory uses.
5. That "development control" should be the preferred land use method and that the Niagara Escarpment Commission should be the continuing authority for purposes of the Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report. However, Item No. 1, above, is beyond our jurisdiction.

FILE NO. G 200-26 SUBMISSION NO. 52

OWNER: Alan H. Towsley

SUMMARY OF SUBMISSION:

This submission generally supports the Proposed Plan but suggests that the Plan should be modified to reflect recent land use planning policies as set out by local municipal and regional policy documents. The submission further states concerns that the policies set out in the Plan for designations such as the Escarpment Protection Areas are too general when applied to lands within existing settlements.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-37 SUBMISSION NO. 53

AGENT: Ronald Marini, Planning Director

GROUP: Town of Stoney Creek

SUMMARY OF SUBMISSION:

This submission sets out the following points and recommendations:

1. Zoning is more desirable than development control.
2. That Heritage policies be re-written so as not to interfere with the local municipal perspective.
3. (a) The basis for the Urban Centre classification be identified.
    (b) The Urban Group classification be deleted from the Proposed Plan if the hearing officers can find no strong basis for the classification.
    (c) If the Urban Group classification is to be retained, then transportation and utility uses should be specific permitted uses in the Urban Group One classification.
    (d) If the hearing officers elect not to take any action in respect of the foregoing three items, then it is requested that the Town of Stoney Creek be included in the Urban Group Two classification.
4. That more emphasis be placed on land acquisition in the southern end of the Escarpment.
5. That the Plan incorporate as many regional plan policies as would reduce the amendments necessary to bring local plans into conformity.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-17 SUBMISSION NO. 54

AGENT: David Kennedy

GROUP: Sierra Club of Ontario

SUMMARY OF SUBMISSION:

This submission makes the following points and recommendations:

1. That the implementation of the Plan be under a continuing body.
2. That wayside pits not be permitted in the Escarpment Protection Areas.
3. That new pits and quarries are unnecessary within the Escarpment Natural and Escarpment Protection Areas.
4. That fees should be increased to provide for adequate rehabilitation of depleted pits and quarries.
5. That development control be the method used to control development.
6. Prefers easements as opposed to land acquisition.
7. Supports the securing of the Bruce Trail as a high priority.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report. However, Item No. 4 above is beyond our jurisdiction.

FILE NO. G 200-35

SUBMISSION NO. 55

COUNSEL: Gordon Grechulk

GROUP: City of Burlington

SUMMARY OF SUBMISSION:

This submission makes the following recommendations:

1. Paragraph 5 of Section 2.9.3 of Part 2 be amended to read as follows:

   Section 2.9.3 - 5 Lot Creation -

   5. Lot creation within Escarpment Natural Areas, Escarpment Protection Areas, Escarpment Rural Areas, Minor Urban Centres, Urban Centres, and Escarpment Recreation Areas will be subject to the requirements of local official plans, if more restrictive.

2. Section 2.10.1 of Part 2 be amended to read as follows:

   Section 2.10.1 Relationship of Local Official Plans and By-Laws -
   If a municipal official plan or by-law is more restrictive than the Niagara Escarpment Plan, that plan or by-law shall be deemed not to be in conflict.

3. Comments on Interpretation of Boundary Lines -
   It is difficult to interpret where the actual boundary lines are located between the various land use designations on the map. The City recommends that a statement be placed in the text that will give the implementing body some flexibility in the interpretation of that line.

4. Comments on Escarpment Natural Areas, Section 2.2 Page 19 The City of Burlington recommends that under "Criteria for Designation" that the final Escarpment Plan not only have regard for Provincially significant areas but also areas that are identified as being regionally significant. This will permit additional Escarpment features to be preserved and protected from further unwanted disturbance.
5. That before any asphalt plant is permitted to locate in a Mineral Resource Area, a detailed study be undertaken to evaluate the environmental impact on surrounding land use.
6. That once the Niagara Escarpment Plan is approved, and is incorporated into the City's official plan, then the implementation of the Plan should rest with the City.

EXHIBIT:

51. City of Burlington's requested changes re severance policy.
    Section 2.9.3 - 5 Lot Creation
    Section 2.10.1 of Part 2

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-89 SUBMISSION NO. 56

AGENT: R.J.L. Zsadanyi, Planning Director

GROUP: Town of Milton

SUMMARY OF SUBMISSION:

This submission endorses the Plan as now proposed subject to the Town being permitted to have a full voice in land use planning policies within the Niagara Escarpment Planning Area on an ongoing basis.

In addition the submission referred to a small portion of land in Part Lot 10, Concession 1 that forms the "link" between the "Niagara Escarpment Development Control Area" and the "Parkway Belt West Planning Area" and which has been given no designation.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

The question of the "link" referred to in the submission is beyond our jurisdiction.

FILE NO. G 200-90 SUBMISSION NO. 57

AGENT: Bruce D. MacLean, Deputy Director of Planning

GROUP: Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is one of general support for the Proposed Plan but makes the following recommendations:

1. That wayside pits not be a permitted use in Escarpment Protection Areas.
2. That the authority for the regulation of the Escarpment Rural Areas be delegated to the local area muncipality.
3. That asphalt plants be deleted as a permitted accessory use in Mineral Resource Areas where the effects of such use would be detrimental to the natural environment.
4. That an annual tonnage limit be imposed on wayside pits.
5. That the word "cultural" be deleted from Section 2.9.10 of the Proposed Plan.
6. That Section 2.10.2 be amended to provide for the delegation of authority to issue development control permits to all local municipalities.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments

and reasons in the general section of this report.

FILE NO. G 200-24 SUBMISSION NO. 58

COUNSEL: Kenneth Anderson

GROUP: Regional Municipality of Halton

SUMMARY OF SUBMISSION:

This submission although in support of the Proposed Plan makes the following recommendations:

1. Re Section 1.2
   That the Land Use Plan identify, on the base map, the location of the Escarpment face or slope as shown in the Preliminary Proposals.
2. Re Section 1.8
   (a) That the Plan recognize the fact that the Escarpment is, in some instances, located outside the Niagara Escarpment Planning Area.
   (b) The the term "the Escarpment" be defined in Chapter 6.
   (c) That the Niagara Escarpment Planning Area be expanded to include:
      i) Those Escarpment lands previously included within the Parkway Belt, and not now shown by the Plan;
      ii) Those environmentally sensitive lands identified as either the Acton Swamp or Hilton Falls complex in the Halton Region; and
      iii) Those lands south of the Milton urban area which previously joined the Niagara Escarpment Planning Area to the Parkway Belt Planning Area.

3. Re Section 2.1
   - (a) That the land use designation and development criteria be separated into two distinct chapters.
   - (b) That the introduction be expanded to clarify the relationship of the land use designations to the development criteria policies and other policies in the Plan.
   - (c) That major and minor designations be identified in the introduction and that minor designations such as mineral resources be identified as overlays to the major designations.
   - (d) That the criteria for each of the land use designations be expanded to include possible upgrading and long term Provincial aspirations.

4. Re Section 2.2
   - (a) That the objectives and criteria for designation of the Escarpment Natural Areas recognize possible upgrading.
   - (b) That subsection (2) of the criteria for the Escarpment Natural Area clarify the term "the Escarpment" and also the term "back from the brow".
   - (c) That subsection (3) of the criteria for designation include Provincially and Regionally significant nature areas.
   - (d) That all Regional environmentally sensitive areas, located within the final Escarpment Planning Area, be designated as Escarpment Natural Areas.

5. Re Section 2.3
   - (a) That Criteria 3 of the Escarpment Protection Area be deleted.
   - (b) That wayside pits be deleted as a Permitted Use.
   - (c) That subsection (2) dealing with new lots in the Escarpment Protection Area be amended as follows: "In addition, one new lot may be severed for every

lot, minimum size 40 hectares, in existence upon the approval date of this Plan."

6. Re Section 2.4
   (a) That Objective 3 of the Escarpment Rural Areas be revised as follows:
   "To encourage and maintain agriculture and forestry and to permit low density rural land uses compatible with agriculture and forestry."
   (b) That a new Objective, Objective No. 4, be established as follows:
   "4. To provide for the continuity of the Niagara Escarpment Planning Area."
   (c) That the term local official plans be defined to include both regional and area municipality official plans.
   (d) That subsection (1) dealing with New Lots be revised as follows:
   "In addition, two new lots may be severed for every lot, minimum size 40 hectares, in existence upon the approval date of this Plan."

7. Re Section 2.5
   That the subsection permitted uses and new lots of the Minor Urban Centres be amended as follows:
   "The range of permitted uses and the creation of new lots will be subject to the following goals and objectives."

8. Re Section 2.7
   That the intent, objectives and criteria for this designation be clarified to provide for private summer and winter recreation - accommodation as opposed to public recreation identified in Chapter 3 of the Plan.

9. Re Section 2.8

(a) That mineral resource extractive operation be defined as an interim land use and that the Mineral Resource Area land use designation be identified as an overlay designation to one of the major land use designations.

(b) That the Niagara Escarpment Commission and Ministry of Natural Resources review all Mineral Resource Area designations to determine an appropriate end use and major land use designation.

(c) That a subsection of Permitted Uses be included within the Mineral Resource Area designation and that forestry, agriculture and other activities deemed compatible with surrounding land use designations be permitted.

(d) That asphalt plants not be permitted as an accessory use in Mineral Resource Areas.

(e) That both hectares and tonnage be used to determine the necessity for a Niagara Escarpment Plan amendment for a pit or quarry within the Escarpment Rural Area.

(f) That the Niagara Escarpment Planning Area, and in particular Escarpment Natural and Escarpment Protection Areas, receive special recognition as the new Pits and Quarries Restrictive Zone to be included within the new Aggregates Act.

(g) That special wayside pit policies and criteria for their location be included within the Plan.

10. Re The Land Use Plan

(a) That the Escarpment slope or face be identified on the land use plan.

(b) That future Escarpment slopes and faces be identified on the land use plan.

(c) That "Public Lands Not In Park System" be deleted from the land use plan.

(d) That the Niagara Escarpment Park System, Significant Geological Areas, Provincially significant nature areas, ski areas, park nodes, etc. be identified on the land use plan.

(e) That lots and concessions be identified on the land use plan.

11. Re Section 2.9

That Section 2.9 be expanded to include an appropriate introduction similar in scope to that of the introduction to the land use designations.

12. Re Section 2.9.1

That the intent of Section 2.9.1 be clarified to show where a permit is not required for the replacement or alteration of an existing use.

13. Re Section 2.9.2

(a) That the statement "the process fails" be clarified in the Plan.

(b) That an environmental impact assessment be required for proposed uses on those existing lots located in Escarpment Natural Areas.

14. Re Section 2.9.3

That new lots be defined in Chapter 6 of the Proposed Plan.

15. Re Section 2.9.4 and 2.9.5

(a) That Section 2.9.4 and Section 2.9.5 be merged.

(b) That subsection 1 (a) of Section 2.9.4 be amended by adding the following:
"Except where tile drainage is necessary for agricultural purposes."

16. Re Section 2.9.7

(a) That specialty soils be recognized in this section.

(b) That the Canada (Ontario) Land Inventory (ARDA maps) be recognized as the source for determining soil capability for agriculture.

(c) That the Food Land Guidelines policies be recognized to complement the Niagara Escarpment Plan.

17. Re Section 2.9.12

That Section 2.9.12 be deleted and merged with Section 2.7 of the Proposed Plan.

18. Re Section 2.9.13

(a) That the Objective of this Section be amended by adding:

"And to minimize the impact of development on high quality mineral reserves."

(b) That the word "new" be struck from the Objective and include in subsection (2) between the words "no extraction".

(c) That quarrying be permitted close to the natural edge wherever a new natural edge is deemed desirable.

(d) That the term natural edge be replaced with the term Escarpment brow.

(e) That prime mineral resource areas be identified on the land use plan.

(f) That criteria for the identification of prime mineral resource areas be agreed upon by the Commission and the Ministry of Natural Resources.

(g) That Mineral Resource Protection Areas be required in the Escarpment Rural Area designations of local official plans should no such designation be provided within the Niagara Escarpment Plan.

19. Re Section 2.10

(a) That the term municipality be defined to include both local and regional municipality.

(b) That this section be inserted in Chapter 4 - Administration and Implementation.

20. Re Chapter 3
    (a) That the role of the Conservation Authorities be re-examined in the light of Provincial, Regional and local recreational interest and that passive and active recreation be specifically defined.
    (b) That existing pits and quarries be re-examined for possible inclusion and identification as acquisition areas to the Niagara Escarpment Parks System.
    (c) That the priority rating for the purchase of parklands recognize Regional environmentally sensitive areas and the heavy demand for parkland near major urban centres.

21. Re Chapter 4
    (a) That General Recommendations dealing with specific areas, conditions or activities be identified in a separate chapter.
    (b) That the *Niagara Escarpment Planning and Development Act* be amended to allow delegation of development control powers to cities and towns via regional or county councils.
    (c) That notification of decisions pertaining to development permits be sent to any municipality, agency or person who comments on that particular development permit.
    (d) That development control appeals be made to the Minister where the matter is minor or local concern with the right of further appeal to Cabinet where there is a direct Provincial interest.
    (e) That the role of the Conservation Authorities in providing recreation be re-examined in light of Provincial and municipal recreation interest, particularly where those interests involve Provincial, Regional and local active recreation.

22. Re Chapter 6

That Chapter 6, Definitions, be made a part of the Plan and that terms such as the Escarpment, municipality, and local official plan be defined in the Plan.

RECOMMENDATION:

None.

REASONS:

As indicated, the Region of Halton is in support of the Proposed Plan although its submission recommended many changes. We have carefully reviewed this submission and in our opinion have made recommendations elsewhere in this report that deal with these matters where warranted in the light of all the evidence adduced at the hearings. In addition some of the recommendations are beyond our jurisdiction, such as those suggesting the enlargement of the area covered by the Proposed Plan.

FILE NO. G 200-15 SUBMISSION NO. 59
(Written Only)

GROUP: St. Catharines & Lincoln Historical Society

SUMMARY OF SUBMISSION:

In a letter it is recommended that a Heritage Advisory Committee be consulted in municipal planning developments. They also expressed concern for any Escarpment landowners who are not provided with financial incentives to implement the proposals.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-19

SUBMISSION NO. 60
(Written Only)

OWNER: Marvin Grove

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and wants the Escarpment protected from further development and recommends that emphasis be placed on establishing protected parks and securing the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-23

SUBMISSION NO. 61
(Written Only)

OWNER: Jeffrey Blegius

SUMMARY OF SUBMISSION:

This submission is one of approval of the Proposed Plan and recommends that more should be done to protect the Escarpment Rural Areas from further development and that the securing of the Bruce Trail should be of first importance.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-31

SUBMISSION NO. 62
(Written Only)

GROUP: Tecumseth and West Gwillimbury Historical Society

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and recommends that zoning be an alternative method of land use control for municipalities in Urban Centres, Minor Urban Centres and Escarpment Recreation Areas.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-36

SUBMISSION NO. 63
(Written Only)

OWNER: Charles Hildebrandt

SUMMARY OF SUBMISSION:

This submission states that the Proposed Plan should be adopted without changes.

RECOMMENDATION:

- None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-39

SUBMISSION NO. 64
(Written Only)

GROUP: South Peel Naturalists Club

SUMMARY OF SUBMISSION:

This submission was in the form of a petition supporting the preservation of the Niagara Escarpment in its natural state.

RECOMMENDATION:

- None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-42

SUBMISSION NO. 65
(Written Only)

OWNER: Alfred Jurss

SUMMARY OF SUBMISSION:

This submission is in complete opposition to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. G 200-47

SUBMISSION NO. 66
(Written Only)

OWNER: Ms. Margaret MacKenzie

SUMMARY OF SUBMISSION:

Ms. MacKenzie wrote a letter in support of the Proposed Plan. She feels that certain funds should be committed to purchasing environmentally sensitive lands. She also feels that the Escarpment Rural designation should do more to protect against development.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-56

SUBMISSION NO. 67
(Written Only)

OWNER: W.A. Gilmour

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-57

SUBMISSION NO. 68
(Written Only)

GROUP: Ottawa Field Naturalist Club

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and recommends that Escarpment Recreation Areas be developed so as not to conflict with the Escarpment Protection and Escarpment Natural designations. It also recommends that control of development and quarrying operations be of prime importance and that the Plan should be implemented by a Provincially based organization rather than by several regional groups.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-63 SUBMISSION NO. 69
(Written Only)

GROUP: The Ontario Federation of Anglers and Hunters

SUMMARY OF SUBMISSION:

This submission indicates support from this group for the establishment of parks along the Escarpment providing there is provision for hunting and fishing in perpetuity.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-65

SUBMISSION NO. 70
(Written Only)

OWNER: John E. MacRae

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-83

SUBMISSION NO. 71
(Written Only)

OWNER: Ian R. Ward

SUMMARY OF SUBMISSION:

This submission is in general support of the Proposed Plan and makes the following recommendations:

1. That provision be made for more active land acquisition by public authorities with fair compensation.
2. That new quarrying and wayside pit operations not be allowed to commence in the Planning Area.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 200-85

SUBMISSION NO. 72
(Written Only)

OWNER: Miss Jane C. LeWarne

SUMMARY OF SUBMISSION:

Miss LeWarne writes in a letter certain rememberances as a child and makes a strong plea to preserve the countryside.

RECOMMENDATION:

- None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 200-86

SUBMISSION NO. 73
(Written Only)

OWNER: Bryan Byng

SUMMARY OF SUBMISSION:

In a written submission Mr. Byng made the following points:

(a) Where the local government has sufficient controls to meet Niagara Escarpment objectives these developed areas should be returned to local control;

(b) Where the Niagara Escarpment Commission retains control it should be clearly established to distinguish between development incidental to an established use and development which has an impact on the policies of the Plan;

(c) Sees difficulty in trying to retain prime agricultural land where:

1. lands lie between existing residential uses or non-residential uses,
2. full municipal services exist up to the lands,
3. unused lands in the control of developers,
4. land values are too high to make farming economically viable;

(d) make a policy to deal with vacant urban land as opposed to vacant rural land;

(e) include a policy for providing retirement lots for farmers;

(f) the Proposed Plan should be realistic and recognize built up areas such as the core area of Grimsby.

He makes the point in conclusion that once a plan is approved the dialogue on the part of planners becomes defensive.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report with the exception of (c) above, which is beyond our jurisdiction.

FILE NO. G 200-16

SUBMISSION NO. 74
(Written Only)

GROUP: Hamilton Naturalists Club

SUMMARY OF SUBMISSION:

This submission is in general support of the Proposed Plan and emphasizes the following points:

1. Securing of the Bruce Trail should be given top priority.
2. That although the Club is in opposition to quarrying anywhere along the Escarpment it recognizes that such opposition be tempered by economics.
3. That the words "except where required for wildlife management" should be deleted from Section 4.10.1, Part (d).
4. That the implementation of the Plan should not be delegated to the municipalities or an overly large Commission but should be implemented by a smaller body appointed by the Province.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-97

SUBMISSION NO. 117

AGENT: Ross Arthur, Planning Director

GROUP: County of Grey

SUMMARY OF SUBMISSION;

This submission is generally in support of the Proposed Plan but would prefer the Plan to be implemented by a development control system administered at the County level.

In addition the brief made the following specific comments on the Plan:

1. Section 2.3 Escarpment Protection Areas

   Clause 2, New Lots -

   In order that the interpretation of this clause is more understandable and specific in its intent, it should be replaced as follows:

   "New lots of not less than 40 hectares may be permitted. In addition, when no lots have been severed, two new lots may be severed for permitted uses for every 40 hectares or original township lot...Notwithstanding the foregoing, the creation of new lots in the Town Plot of Brooke, Sarawak Township, shall be in accordance with the local official plan."

2. Section 2.4 Escarpment Rural Areas

   Clause 1, New Lots -

   The second sentence should be replaced as follows:

   "In addition, new lots may be created subject to the requirements of the local official plan."

3. Section 2.5 Minor Urban Centres

   Clause 1, Growth Objectives -

   Although the County feels that, in general, major growth of urban centres should be directed away from

Escarpment Natural and Escarpment Protection Areas, such a policy should not unduly restrict normal development of urban centres such as Kimberly or Griersville where alternative direction for growth is non-existent.

4. Section 2.9.4 New Development Adjacent to Streams,
   Lakes and Wetlands
   Clause 1 (b), Water Quality

   The location of sewage systems in relation to lakes, stream banks or ravines or wetlands should be in accordance with local Health Unit regulations.

5. Section 2.9.5 New Development Adjacent to Ravines
   Clause 4 -

   A slope of four to one is not considered excessively steep for some forms of structural development. The determination of whether or not structural development should take place on slopes should be made by the implementing body in consultation with the local Conservation Authority, Ministry of Natural Resources or Ministry of the Environment. It should be understood that steep slopes providing a constraint to structural development would be affected by a Hazard Lands designation in the local official plan which requires such consultation.

6. Section 2.9.6 New Development Within Wooded Areas
   Clause 3 should be replaced as follows:

   "Existing tree cover or other stabilizing vegetation should be maintained on steep slopes."

7. Section 2.10.1 Relationship to Local Official Plans
   and By-laws -

   This section should be modified and state that if a municipal official plan or by-law is more restrictive than the Niagara Escarpment Plan, the Plan or by-law shall take precedence over the Niagara Escarpment Plan.

Clause 3 -

This section should be amended to state that grants will be made to municipalities to prepare or update local official plans or by-laws. The County feels that such costs incurred for the purpose of ensuring recognition and protection of a Provincial interest like the Niagara Escarpment in local planning documentation is the responsibility of the Province.

8. Section 3 Escarpment Parks and Acquisition

   The County agrees with the methods of land acquisition as stated in Section 3.6 and totally rejects the expropriation method mentioned in Section 18 of the *Niagara Escarpment Planning and Development Act.*

   It is further the position of the County that all lands forming a part of the Parks System should be acquired or held by a Provincial agency (Ministry of Natural Resources) and managed by the Conservation Authorities with 100% funding for all carrying and management costs to be provided by the Province.

   The County is very concerned about the financial impact to local municipalities where substantial public acquisition of lands has occurred and is further proposed in the Plan. It is strongly recommended that the present tax structure relating to publicly owned lands within the Proposed Plan area be reviewed and appropriately adjusted by the Province to provide for a more equitable arrangement for local municipalities.

9. All ARDA lands as indicated as public lands on the land use schedules should be deleted.

EXHIBIT:

103. A Strategy Plan for the Niagara Escarpment. Within the Corporation of the County of Grey, August 1978

prepared by the Grey County Planning Department.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-33

SUBMISSION NO. 118

AGENT: Richard Hughes, Deputy Planning Director
County of Grey

GROUP: Township of Keppel

SUMMARY OF SUBMISSION:

The submission of the Council of the Township of Keppel was made on its behalf by the Deputy Planning Director of the County of Grey. It endorses the concerns of the County. The planner stated that his position supports development control as does the County of Grey. His planning responsibility is for the west half of the County and Keppel lies in that part. Part of Keppel is not included in the Proposed Plan. Concern was expressed regarding land acquisition within the Proposed Plan Area and any negative financial effects therefrom. Opposition is raised to further land acquisition unless this problem is addressed. A guarantee should be made with regard to funding of land acquisition within the five-year period proposed or reference to acquisition should be deleted from the Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-95 SUBMISSION NO. 119

AGENT: Ross Arthur, Planning Director
County of Grey

GROUP: Township of St. Vincent

SUMMARY OF SUBMISSION:

This submission is in general agreement with the Proposed Plan and in addition makes the following comments:

1. Section 2.8 Mineral Resource Areas
   As a condition of granting a licence for an extractive operation it should be clearly stated that the site shall be completely rehabilitated by levelling the site, replacing the top soil and reseeding the area within two years of the issuance of the licence. Phasing of the operation, at the site, should be enforced with a new licence to be required for each phase. Each phase to be rehabilitated before the licence for any other phase is granted. The Township feels that, in this area, each phase should not exceed four acres.
2. Section 2.9.4 New Development Adjacent to Streams, Lakes and Wetlands
   Clause 1 (b) -
   The provision of a 30 metre setback from the high water mark, top of a stream bed, and edge of any wetland for sewage system should apply in the case of new lots but not for existing lots. Any development or buildings on existing lots should be completed as outlined in Sections 1. a, 1. b, 1. c, 1. d, 1. e, 1. f and 1. g of paragraphs 2.9.4 and usual health unit requirements.
3. Section 2.9.5 New Development Adjacent to Ravines
   Clause 4 -
   Clause 4 should be modified to state that structures

should not be placed on steep slopes and the Proposed Plan should not rigidly define a one to four slope as being precisely too steep for structural development. The determination of whether or not structural development should occur on slopes should be made by the implementing body in consultation with the Ministry of the Environment, Conservation Authority and/or Ministry of Natural Resources as required by the St. Vincent Official Plan in the Hazard designation which affects such lands.

4. Section 2.9.6 New Development Within Wooded Areas
   Clause 3 -

   Clause 3 rigidly defines a steep slope as having a slope of one to four. This clause should be revised to read that existing tree cover or other stablizing vegetation should be maintained on steep slopes. The need to ensure stabilization of slopes is dependent upon the severity of the slope obviously, but it is also dependent upon other factors such as soil, surface water runoff, etc. which must be determined on an individual basis.

5. Section 2.9.10 Transportation and Utilities
   The Township of St. Vincent is concerned over the potential effect that future required transportation and utilities corridors may have on the environment of the Niagara Escarpment and therefore, are in full agreement with this policy.

6. Section 2.10.1 Relationship to Local Official Plans and By-laws

   The Township of St. Vincent feels that there may be conflicts between the Proposed Plan and the Township official plan and that the local official plan or zoning by-laws may be difficult to implement in some cases where there is a more restrictive policy than that of the Proposed Plan.

Clause 2 should be modified to say that when the local official plan or by-laws is more restrictive than the Proposed Plan, then the policies of the local official plan or by-law shall take precedence.

7. Section 2.10.2 Land Use Control - Implementation
The Township of St. Vincent recommends that the County of Grey be the implementing body to administer a development control system applicable to the Proposed Plan for this area. It is further a recommendation that the Niagara Escarpment Commission be under the Ministry of Housing and utilize that Ministry's staff. The Commission should be reduced to no more than eight members plus a chairman with all members appointed from each County or Region for three year staggered terms to ensure continuity. The function of the Commission would be that as outlined in Section 4.1.1 except that Clause 5 be amended to read:
"The monitoring of municipal administration (land use control, consents and subdivision approval) to ensure conformity with the Niagara Escarpment Plan."

8. Section 2.10.3 Amendments to the Niagara Escarpment Plan
It appears that in order to amend the Proposed Plan, the Commission, Advisory Committees and hearing officers would be retained to perform functions as in preparing the Plan. The Township finds this process to be unacceptable. It is recommended that when the Township's official plan is updated in conformity with the Proposed Plan that the approval of an amendment to the Township official plan by the Minister of Housing be deemed to be an amendment to the Niagara Escarpment Plan.

9. Section 4.1.8 Development Control - Appeals
Section 4.1.9 (f) Recommendations and Implementation
The Township supports the Ontario Municipal Board in assessing the costs of frivolous appeals against the originator as outlined in The White Paper on *The Planning Act*. The Township is concerned about the unnecessary delays and costs caused by individuals who are unaffected by a development application but lodge objections. It is therefore recommended that only property owners, within 400 feet of the affected area, and the municipality be notified of the proposed development.
Furthermore, upon final approval, by the Lieutenant Governor in Council, of the Niagara Escarpment Plan, the *Niagara Escarpment Planning and Development Act* should be amended to define the planning area as the area affected by the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

We have not dealt with items which in our opinion are not within our jurisdiction such as references to the form and membership of the Niagara Escarpment Commission.

FILE NO. G 700-98 SUBMISSION NO. 120

AGENT: Maitland Warder, President

GROUP: Warder Farms Limited

SUMMARY OF SUBMISSION:

This submission is in general support of the Proposed Plan and its development control process which the above company finds serves the farm needs best. While concern is expressed in several instances that one or another of the alternatives offered by the Commission in implementation of the Plan would not be desirable there appears to be another resolution of various matters provided in the Proposed Plan that if accepted would meet the criticism.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-26

SUBMISSION NO. 121

OWNER: Robert McKessock, M.P.P.

SUMMARY OF SUBMISSION:

This submission as indicated above was made by the Member of the Legislative Assembly of Ontario for Grey Riding. He is in opposition to the Proposed Plan and the *Niagara Escarpment Planning and Development Act* which fostered it. Municipal official plans and zoning by-laws adequately protect Escarpment lands, although this was not the case when the first intimation of what was intended began some 10 or 12 years ago. If the Plan is implemented there will be a duplication of planning with resultant costs. The submission points out that under development control the landowner who purchased his property in good faith is left to the whims of an appointed Commission. The application to the Commission necessary for procurement of a building permit he alleges has in some cases when turned down resulted in loss of a sale and devaluation of property rights and values. Hardship has been experienced by farmers in getting farm buildings erected, due to having to take the development permit route. The submission is opposed to the concept of a continuous Bruce Trail. With the Province owning 90,000 acres in the County of Grey alone, he states that enough trails could be established on Government land without getting onto private property. All lands acquired or to be acquired by the Province should pay full taxes to the Township.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-11 SUBMISSION NO. 122

AGENT: D.J. Grant

GROUP: Isthmus Bay Property Owners' Association

SUMMARY OF SUBMISSION:

This submission was withdrawn at the hearing.

RECOMMENDATION:

None.

REASONS:

Not necessary to comment.

FILE NO. G 700-37

SUBMISSION NO. 123

OWNER: Gordon Richardson

SUMMARY OF SUBMISSION:

This submission was in opposition to the Proposed Plan in its entirety.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-12 SUBMISSION NO. 124

OWNER: Mr. and Mrs. Donald J. Grant

SUMMARY OF SUBMISSION:

This submission was in opposition to the Proposed Plan and to the Niagara Escarpment Commission.

RECOMMENDATION:

- None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-60 SUBMISSION NO. 125

OWNER: Joseph W. Johnson

SUMMARY OF SUBMISSION:

This submission was a philosophical presentation and was in general support of the Proposed Plan.

RECOMMENDATION:

- None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-18 SUBMISSION NO. 126

AGENT: Murray Betts

GROUP: Association of Counties and Regions of Ontario

SUMMARY OF SUBMISSION:

This brief was in general support of the Proposed Plan and supports the use of development control as the preferred method of land use control for most of the area covered by the Proposed Plan and zoning as the preferred method in Urban Centres, Minor Urban Centres and Escarpment Recreation Areas.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-67

SUBMISSION NO. 127

AGENT: Angus Ralph, Vice President

GROUP: Tobermory Chamber of Commerce

SUMMARY OF SUBMISSION:

This brief is in opposition to the Proposed Plan and suggests that the protection of the Escarpment be left to local people. The brief points out that there is no need to set out specifics as for example, it is of the opinion that the *Pits and Quarries Control Act* effectively protects the Escarpment.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-36 SUBMISSION NO. 128

OWNER: Angus Ralph

SUMMARY OF SUBMISSION:

This brief was in opposition to the Proposed Plan since in the opinion of the submitter it removes most of the human rights to own land.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-15

SUBMISSION NO. 129

AGENT: Howard Awrey

GROUP: Ontario Real Estate Association

SUMMARY OF SUBMISSION:

This brief was generally in favour of the intent of the Proposed Plan and suggests that zoning is the preferred method of implementation rather than development control.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-124 SUBMISSION NO. 130

AGENT: Thomas H. Owen

GROUP: Ontario Society for Environmental Management

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and urges that the Plan be interpreted and administered with a high degree of consistency and objectivity and that a special purpose body be established to achieve these objectives.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and requires no further comment.

FILE NO. G 700-121

SUBMISSION NO. 131

AGENT: Mrs. Marion Hunter, Clerk

GROUP: Township of Melancthon

SUMMARY OF SUBMISSION:

This brief is generally in support of the Proposed Plan but wants the control and implementation to be effected through local zoning by-laws rather than development control.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-91 SUBMISSION NO. 132

OWNER: William L. Shannon

SUMMARY OF SUBMISSION:

There is no written submission and the oral submission was in complete opposition to the Proposed Plan and to all planning and zoning procedures.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-58

SUBMISSION NO. 133

OWNER: L.R.L. Symmes

SUMMARY OF SUBMISSION:

This submission generally supports the Proposed Plan but is concerned that there is no clear recommendation on how the Plan will be administered. It does not want the administration of the Plan to be at the local level but it should be at the Provincial level.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-16 SUBMISSION NO. 134

AGENT: Steve Varga

GROUP: Toronto Field Naturalists

SUMMARY OF SUBMISSION:

This submission strongly supports the Proposed Plan but is concerned that the area covered is substantially less than that covered by the Preliminary Proposals.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-7

SUBMISSION NO. 135

AGENT: John Dean

GROUP: Therafields

SUMMARY OF SUBMISSION:

This submission supports the objectives of the Proposed Plan and suggests that wayside pits should not be a permitted use in the Escarpment Protection Areas. Implementation of the Plan should be delegated to all municipalities that have an official plan in effect. All applicants for development permits should be allowed to speak at hearings when their application is being considered.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-30 SUBMISSION NO. 136

AGENT: Rae Patterson, President

GROUP: Sydenham Sportsmen's Association

SUMMARY OF SUBMISSION:

This submission endorses sound conservation practices and the speaker states that the goals of the Association are consistent in this regard with those of the Niagara Escarpment Commission. He specifically referred to the large acreages marked for acquisition as parkland and wants hunting as a permitted use on much of these lands.

RECOMMENDATION:

None.

REASONS:

This submission is in general support of the Proposed Plan and the specific request in this submission is beyond our jurisdiction since in our opinion it is requesting a review of hunting regulations in much of the Province and not only for the area covered by the Proposed Plan.

FILE NO. G 700-65

SUBMISSION NO. 137

OWNER: Gordon M. Bothwell

SUMMARY OF SUBMISSION:

This submission is in complete opposition to the Proposed Plan.

RECOMMENDATION:

- None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-31 SUBMISSION NO. 138

OWNER: Hubert Cheshire

SUMMARY OF SUBMISSION:

This submission is in complete opposition to the whole Proposed Plan.

RECOMMENDATION:

- None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-141

SUBMISSION NO. 139

AGENT: Charles Sauriol

GROUP: Nature Conservancy of Canada

SUMMARY OF SUBMISSION:

While this submission was interesting insofar as it outlined the Nature Conservancy of Canada's history it offered no statement either in support of or opposition to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-13 SUBMISSION NO. 140

AGENT: Donald Scott, Planning Director

GROUP: County of Bruce

SUMMARY OF SUBMISSION:

The County recognizes the Niagara Escarpment as a unique resource that must be safeguarded and that the Province should have an active role in its future planning and development. Although the County has certain concerns with the Proposed Plan it is generally acceptable. Some of the matters raised are listed below:

Specific Comments on Part 2 - Land Use Policies

The following discussion on the various sections of the Proposed Plan will include those areas which the County feels need to be modified, added to or deleted.

1. Escarpment Natural Areas, Section 2.2
   Escarpment Protection Areas, Section 2.3
   The criteria for designation of Escarpment Natural and Escarpment Protection Areas along the Niagara Escarpment should include a provision for areas that could be made into Escarpment Natural and Escarpment Protection Areas through reforestation or other means. Although these areas may not now be acceptable, with respect to the terms of reference, certain areas could be rehabilitated, e.g. abandoned quarries that form an integral part of the Escarpment Natural or Escarpment Protection Areas.
   The Escarpment Protection Area section should contain a severance and lot creation policy similar to the Escarpment Rural Areas. The Escarpment Natural Area section should permit at least one lot being created on a 40 hectare parcel.

2. Escarpment Rural Areas, Section 2.4

   It is the opinion of the County of Bruce that there is not sufficient protection for aggregate resources or future aggregate resources in the Escarpment Rural Areas. Areas that have aggregate potential should be identified. These areas should also be protected from the intrusion of incompatible uses such as residential and commercial developments. A rational and environmentally sensitive mining and rehabilitation policy for aggregate resources should be incorporated into the Plan.

3. Mineral Resource Areas, Section 2.8

   This section should indicate a number of permitted uses in the Mineral Resource Area which would include pits, quarries, farms, public uses and recreation areas, e.g. those uses which are compatible to present mining operations and would not interfere with the development of the resource. These non-aggregate uses could take place prior to the area being mined or as an appropriate means of rehabilitation.

   The policy in the aggregate resources section pertaining to adjustment of existing quarry licences needs considerable review. When a quarry licence is adjusted by the Niagara Escarpment Commission in consultation with the Ministry of Natural Resources, these licences should not be altered to such an extent that the existing pit is rendered uneconomic.

4. Existing Uses, Section 2.9.1

   The County of Bruce is in favour of an alteration to this section to indicate that an individual may rebuild a non-conforming use in a more compatible location and a more compatible building style. This may be intended but should be clarified.

5. Development on Existing Lots, Section 2.9.2

(a) Subsection 2 should be altered to make it perfectly clear "that a lot is or could be made" to meet relevant municipal health and servicing requirements. It should be noted also that any development occurring on existing lots should not occur unless consideration is given to the Agricultural Code of Practice. "Servicing Requirements" in subsection (d) should not include the requirement for a minimum road access. This change is required because the development control approach does not appear to allow for minor deviations such as can be handled through the Committee of Adjustment for a lot that does not meet municipal standards.

(b) New Development Use in Streams, Lakes and Wetlands, Section 2.9.4
New development adjacent to lakes, streams and wetlands should contain a policy which exempts existing lots in order that they may have a reduction from the 30 metre setback requirements established in the Plan if deemed appropriate.

(c) Escarpment Recreation Areas, Section 2.9.12
The second paragraph of this section should be removed and a policy introduced which is more in keeping with the principle of cluster development. As can be seen from the schedule to the Proposed Plan, future linear development has effectively been curtailed as this designation reflects only existing developments in the County of Bruce. Although subsection 2 is designed to encourage backlot development, the 200 metre maximum setback from the high water mark effectively stops any clusters or group recreational development. This section should be amended to read as follows:
"Lakeshore cottage areas may extend inland to

permit new development in a planned group manner provided that the development is in harmony with the Escarpment Natural Areas designation."

6. Relationship to Local Official Plans and By-laws, Section 2.10.1

   The County of Bruce would like to suggest that where local severance policies or land use policies are more stringent than the Niagara Escarpment Plan, local policies would apply and be deemed to be in conformity with the Niagara Escarpment Plan.

   An amendment should be made to permit studies to be undertaken to amend the Niagara Escarpment Plan or local plan and such studies would not constitute a contravention of the Plan.

   Paragraph 3 should be altered to read: "Grants shall be made to municipalities...."

7. Land Use Control Implementation, Section 2.10.2

   This particular section of the Proposed Plan is very sketchy and refers to an implementing body as either a County, a Region, a City, the Niagara Escarpment Commission or the Minister depending on the delegation made for any particular area. This critical aspect of the Plan needs total reconsideration. It is the opinion of the County of Bruce that this Plan for a number of reasons can only be implemented by one overall administrative body. The Plan is somewhat vague in many areas and relies on the implementing body to make certain interpretations. Should the Plan be implemented by upwards of ten jurisdictions, an adequate setback from a ravine for example, will result in at least ten variations of an 'adequate' setback. To allow the Plan to be administered by anything other than an overall body will render much of the Plan virtually useless. The end result will be that when the Plan is up for review in five years any body appointed at that time will have extreme difficulty in preparing an update as they will be in no better position than the Niagara Escarpment Commission was when it was initially formed in 1973.

It is also the opinion of the County of Bruce that should the Niagara Escarpment Plan be administered by a Provincial agency, the Province would then be under more obligation to acquire lands on which they prohibit development.

8. Amendments to the Plan, Section 2.10.3

   The Proposed Plan notes that amendments to the Niagara Escarpment Plan will be handled under Section 12 of Bill 129. Section 12 states that all amendments will be processed in the same manner as the Plan received approval. This rather lengthy and cumbersome procedure should be reviewed and the system simplified and abbreviated especially for minor alterations to the Plan.

Specific Comments on Part 3 - Parks and Acquisition

1. The County of Bruce supports the Proposed Plan with respect to a park system and is in general support of the Bruce Trail policy. It is understood, however that development of the Bruce Trail will not be forced on property owners and the routing method for the trail should in instances be returned to the former handshake agreement.

2. Provincial Parks Grants, Section 3.4

   This section contains the following:

   "Because of the high proportions of some townships that will be taken up by parks, the present grants in lieu of taxes should be reviewed." This statement is definitely not strong enough. The County is of the firm opinion that this section should state that the parks system will be an approved Provincial parks system including all Provincial and conservation lands within the Planning Area and qualify under the *Provincial Parks Municipal Tax Assitance Act*.

3. Role of the Ministry of Natural Resources, Section 3.5
   A clause should be added to require the Ministry of Natural Resources to develop all roads and maintain existing roads within the designated Park Systems.

4. Government Acquisition, Sections 3.4 to 3.7
   The success of the Plan for the Niagara Escarpment will be dependant, to considerable degree, upon a realistic acquisition policy that is fully supported by the Provincial Government.

   The County of Bruce supports the acquisition program as outlined in the Proposed Plan and requests that adequate funds be made available for prompt acquisition of lands when they become available.

   The County of Bruce is concerned however that the Proposed Plan will be used to lower property values as has been the case in certain instances in the past.

Specific Recommendations on Part 4 - General Recommendations

1. Development Control - Notification of Decisions, Section 4.1.7
   The County of Bruce is opposed to the paragraph in this section which states that the names of all persons requesting notification should be given the right to appeal. This particular policy is too wide ranging and could become unwieldly as any individual or group in the Province could request to be notified of every application and appeal every development permit. An alteration is required which would require notice and the right to appeal only to people within 400 feet, pertinent Government Agencies, and Municipalities and

their Boards or Commissions.

2. Development Control - Appeals, Section 4.1.8
With respect to development control appeals, County Council supports the concept of delegating this responsibility to a division of the Ontario Municipal Board.

3. Recommendations on Implementation, Section 4.1.9
Subsection (f) of Section 4.1.9 should also be amended to indicate that the people appealing have a definite interest in land within 400 feet or have convinced the Municipality, Board or Commission to appeal the permit.
It is suggested that subsection (e) be altered somewhat, in that not only the municipality in which the application is being considered be notified, but municipalities adjoining it and within not only 400 feet, but possibly one kilometre distance, of the application.
With respect to notification of development permit applications, it should be clarified that Planning Boards or Commissions either in the effected municipality or in an adjacent municipality should be notified of all applications and given the right to appeal.

4. Conservation Authorities and Recreation, Section 4.4
It is felt that the agreements for the development, maintenance and management of parks noted in subsection (b) should not be limited to Conservation Authorities but expanded to include local municipalities and in certain instances, the private sector. This section should also contain a policy statement on the payment of local taxes. The fact that Conservation Authorities are required to pay municipal taxes seriously hampers their development and management programs. The Plan should be amended to indicate that the Province will

pay all taxes for Conservation Authority parks within the approved Niagara Escarpment Park System.

5. Recommendations of Mineral Resources, Section 4.15.1
The County of Bruce is in support of the concept contained in Section 4.15.1 that the Escarpment Natural Areas and Escarpment Protection Areas should now form the revised pits and quarries restrictive zone except for wayside pits occurring in the Escarpment Protection Areas. The Bruce County Council is also in support of the concept of funds being available for rehabilitation of abandoned pits and quarries which have been obtained from Escarpment operators being used for rehabilitation of abandoned sites in the Escarpment area before they are used elsewhere.

Conclusion

In summary, the County of Bruce would like to endorse the Proposed Plan but would express concern over the following major issues:

1. The Proposed Plan and eventually "The Plan" should not be used to lower property values for the sake of public acquisition.
2. There are too many policies or statements in the Proposed Plan which are of a "motherhood" nature and could and would be subject to a wide range of interpretation, if the Plan is administered by Regions, Counties and Cities. One central administration for key portions of the Escarpment or indeed the entire revised Planning Area is a definite requirement. Opponents to this view simply do not understand how the present system works.
3. The parks system must be recognized as a Provincial system and permit the municipalities to qualify under

a more adequate structure of grants in lieu of taxes.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-131

SUBMISSION NO. 141

AGENT: Roger Martin, Resource Manager

GROUP: North Grey and Sauble Valley Conservation Authority

SUMMARY OF SUBMISSION:

Although the authority agrees with the Proposed Plan generally there were certain points which they recommend be changed:

1. Section 2.9.9 - Forest Management:
   In view of certain ongoing activities they recommend that tree cutting for the purpose of wildlife management should be included among the exemptions in Section 2.9.9 (1).
2. Section 3.2.3 - Park Classification:
   Feel that the Ontario Provincial Parks Manual may present difficulties because hunting is not permitted in Provincial Parks whereas hunting is permitted on most Authority lands other than intensive recreational areas.
3. Section 3.2.4 - Guidelines for Park Master Plan,:
   Because Authorities are autonomous bodies their lands are not part of the Provincial Parks System and should be required only to conform to the intent of park classification and not strictly to the policies. For instance where permitted uses are not compatible with classifications then the classification should prevail.
4. Section 3.4 - Future Acquisition:
   In order to implement the expansion of holdings by the Authority higher grants for development and maintenance will be necessary.
5. Section 3.7 - Proposed and Existing Escarpment Parks:
   If proposed Nature Reserve Parks do not allow managed

tree cutting management costs will accrue and the Province will have to take over these costs.

6. Section 4.4.1 - Recommendations on Conservation Authorities and Recreation:
   Reduced role by Authorities in providing recreation and could run contra to expanded role proposed in the Plan.

Shared management of existing parks with the Ministry of Natural Resources could cause problems at senior administrative levels.

No policy now to acquire lands exclusively for the Bruce Trail.

If acquisition policies go beyond the normal scope of an Authority then the grant should be 100% of the cost. Unless grants which have been cut to 50% are restored to at least the 75% level there is little incentive to acquire anything other than the most essential.

RECOMMENDATION:

None.

REASONS:

This submission was generaly in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-20

SUBMISSION NO. 142

OWNER: Norman E. Seabrook

SUMMARY OF SUBMISSION:

The submission is in opposition not only to the Proposed Plan, but also the *Niagara Escarpment Planning and Development Act* that created it. Any planning decisions to take place regarding the Escarpment should be taken by local persons in the various areas of the Escarpment rather than by authorities at other Provincial levels. Conservation and preservation of the Escarpment, including the existence of the Bruce Trail has over the years been made possible by the owners on the Escarpment, and much of this including the Bruce Trail is endangered because of outside intervention. Opposition is taken to park proposals in this time of rising costs. It is alleged that the intent to have a substantially continuous Escarpment is really to accommodate a Bruce Trail upon its length. Development control, the submission contends, is totally unfair, and takes away many of the rights of owners and makes Escarpment owners subject to more stringent conditions than other Ontario owners. The formation of the Niagara Escarpment Commission is assailed for its composition as are the Advisory Committees. The submission questions the hearing process for the Proposed Plan since it is not a decision making report but only recommendatory.

The speaker favours the preservation of the Escarpment with reasonable guidelines planned at the local level to avoid depreciation of property values and permit development to support the tax base. Agriculture should not be retarded, interfered with or hampered in any way. Recreation should play a major role and under the auspices of private enterprise. If the Escarpment is to be subject to the controls proposed for all the people of Ontario then society should pay for the land.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-105

SUBMISSION NO. 143

OWNER: Dr. Robert Payne

SUMMARY OF SUBMISSION:

This individual presented a paper on the Proposed Plan and while he felt it was a good Plan and supported it, he had some reservations. He looked at the Plan from three aspects: the first one is as an educator, the second as a Bruce Trailer, and thirdly as an occasional user of the resources of the Escarpment.

He feels that essential transportation and utility facilities should be excluded from Escarpment Natural Areas as well as Escarpment Protection Areas.

Mineral Resource Areas should be subject to the *Environmental Assessment Act*, 1975.

Insure that forest management plans do not adversely affect physical and cultural features.

Make sure that recreation activities do not exceed the carrying capacity of the site.

Fears that the Ministry of Natural Resources may have diffficulty in carrying out its role with respect to parks because of budget.

There should be shared responsibility for the Bruce Trail where the trail crosses either Ministry of Natural Resources lands or Conservation Authority lands.

He feels that the Provincial Secretary for Resources Development should be the overall authority of the Plan. In addition he advocates that the *Environmental Assessment Act*, 1975 take precedence over *The Planning Act* except in urban designations. In the case of the Parks System he advocated a Parks Advisory Committee be established.

He contends the main weakness of the Plan is the implementation stage.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-50

SUBMISSION NO. 144

AGENT: Al Clark

GROUP: Bruce Peninsula Protection Association

SUMMARY OF SUBMISSION:

The submission is really aimed at the rescinding of Bill 129 but it was explained that the Association had an alternative it wanted considered which would eliminate the objectionable aspects of said Bill.

A careful consideration of the submission made it clear that the proposal constitutes in effect a recommendation for several changes in *The Niagara Escarpment Planning and Development Act* itself.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-34 SUBMISSION NO. 145

OWNER: Alex Johnson

SUMMARY OF SUBMISSION:

This gentleman is a fourth generation farmer who lives in the Township of Keppel, whose oral presentation can best be summarized by saying that he is completely opposed to the Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-35

SUBMISSION NO. 146

AGENT: Al Clark

GROUP: Bruce Peninsula Sportsman's Association

SUMMARY OF SUBMISSION:

The submission contends the Proposed Plan is unnecessary. Wildlife and fisheries management should be the sole jurisdiction of the Ministry of Natural Resources, without the Niagara Escarpment Proposed Plan intervention. It would appear that the thrust here is that the above Ministry is more capable of dealing with wildlife and fishery management and their relationship to sportsmen's organizations than would another level of Government.

Concern is expressed at the proposed acquisition of additional parks particularly with the energy crisis and possible lower usage of the facilities. Objection is taken to any reduction proposed in the Plan of hunting or fishing amenities presently enjoyed.

EXHIBIT:

104. Motion by Township of Albemarle Council dated February 4, 1980 (endorses the appeals of property owners within the municipality to have the Niagara Escarpment Commission's imposed land use designations removed from their properties).

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-27 SUBMISSION NO. 147

OWNER: G. William Caulfield-Browne

SUMMARY OF SUBMISSION:

This gentleman feels that the Escarpment must be preserved and regulated for all in the Province. He strongly endorses the Proposed Plan although his property in the Township of St. Edmunds is not involved with the Plan. He advocates that the aggregate industry should have their operations restricted. Supports the idea of hiking (Bruce Trail) as better than scenic drives because of the energy problem.

Two areas of concern were raised. The first was the reduction of the area of the Plan and that there should be no further reductions. The second, the establishment of a strong central body to administer the Plan at Queen's Park.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-29

SUBMISSION NO. 148

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mulmur

SUMMARY OF SUBMISSION:

Ross Raymond, a qualified planner, with considerable municipal planning experience, gave evidence in support of the Township's position. Mr. Raymond pointed out that over a long period of time the local people expended considerable time and effort in drafting a new official plan. First of all, it is quite clear that many of the difficulties which arose resulted from the fact that a substantial portion of the Escarpment is buried in this Township. One of the main difficulties, according to Mr. Raymond, is that provisions in the Proposed Plan conflict with the agricultural operations now being carried on and it is his opinion that agriculture is not one of the main concerns of the Niagara Escarpment Commission. He dealt with his concerns under seven main headings, and these are as follows:

1. The effect on agriculture on lands within the Plan.
2. The principle of development control and appeals.
3. The matter of land acquisition.
4. Grants in lieu of taxes.
5. Mineral resources.
6. The Bruce Trail.
7. The size of the Planning Area.

The Plan has substituted recreational uses and conservation for agriculture uses and in doing so has removed freedom of action for farmers. In spite of the fact that the area covered by the Plan was reduced it is still too large in this Township. It is proposed that in areas which are actively farmed they should be removed from the Plan and released to local jurisdiction or revise the rural policies. In the case of existing uses they should be more clearly defined in the Plan and some attempt should be made to define compatible uses. Mr. Raymond feels that zoning should be used to implement the Plan. This Township also takes the position that the appeal procedure is too wide and should be a local matter. In view of the fact that the Township of Mulmur has a good potential for future aggregate extraction these areas must be clearly defined in the Plan in order that they can be protected for the future.

It is Mr. Raymond's view that in farming areas unless the land is publicly owned that the Bruce Trail should be confined to the roads.

Other points raised were related to the acquisition policies not being clearly set out and that there may be difficulties with grants in lieu of taxes in the future.

It was Mr. Raymond's opinion that in the wording of the *Niagara Escarpment Planning and Development Act* that substantially continuous does not mean absolutely continuous.

It can be generally concluded that in the opinion of this witness that the proposed Escarpment Rural Areas designation in the Plan can do damage to existing farmlands because farming is not a maintenance operation.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-111

SUBMISSION NO. 149

OWNER: Harold Davidson

SUMMARY OF SUBMISSION:

The submission contends that the Proposed Niagara Escarpment Plan is too much recreation oriented with agriculture and development relegated to minor roles and with too much emphasis on fish, flowers and trees. While agreeing many development permits are presently being granted by the Commission he fears that once the Plan is approved the flow will be reduced.

The speaker believes the Escarpment where it is buried requires no further protection, except perhaps for the places where outcroppings occur. The private property owner has done better in preserving parks than the public will do if greater access is given them, and vandalism will be inevitable. Uncertainty of development control has interfered with property values and certain sales. There is agreement on the need for tourism and development particularly in the northern sector of the Escarpment. Development control is not satisfactory and the zoning method of land use should prevail with implementation by the municipalities. Each municipality should have access to gravel within its confines to reduce costs and pits should be rehabilitated. Exception is taken to certain of the sections in the Plan where the Commission has recommended arbitrary powers regarding imposition of unstated criteria, etc.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-102 SUBMISSION NO. 150

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mono

SUMMARY OF SUBMISSION:

Mr. Mullin called James Pinhay, Chairman of the local Planning Board and George Reid, Reeve of the Township of Mono, to give evidence on behalf of the Township.

The Township is in full accord with the objectives of the Niagara Escarpment Commission but because 40% of the municipality will be in the Proposed Plan, they are concerned with the loss of local land use control. It is their contention that because they have the necessary controls locally that the jurisdiction of the Niagara Escarpment Commission should extend only to the Escarpment Natural Areas and the Escarpment Protection Areas. The Township feels that both in the Escarpment Natural Areas and Escarpment Protection Areas there should be more provision for severances. In the case of certain hamlets, such as Mono Mills, being designated as a Minor Urban Centre there would be difficulty in expansion because of the surrounding Escarpment Protection Area. The Hockley Valley Ski Area because of soil characteristics should be controlled locally and no residential development should be allowed. Again in the case of mineral extraction it is felt that the local Council must have ultimate control. The Township feels through its Council that control of land use should be through zoning by-laws in the area of the Plan.

In the event that a central control body is maintained, the jurisdiction of the authority should be confined to the lands owned by the Province.

Another aspect of a problem in this Township was raised by the Reeve in his presentation and that is that the Escarpment is not a prominent feature in Mono and illustrated this point with a slide presentation showing some of the rock outcroppings.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-129 SUBMISSION NO. 151

AGENTS: Dr. James White, George Shepherd and Dave Hindson

GROUP: Niagara Escarpment Central Ratepayers Association

SUMMARY OF SUBMISSION:

This submission consisted of three separate submissions presented by the above named and while lengthy may be summarized as follows:

1. The Commission revise the Plan to place less emphasis on recreation and environmental concerns and more emphasis on economic and social concerns as required in 1.6 of the *Niagara Escarpment Planning and Development Act.*
2. The Commission undertake and give recognition to appropriate studies on land resources, agriculture, the economies of the various municipalities or regions and the cost to landowners of their proposals.
3. The Commission recognize that the Niagara Escarpment is not a continuous landform and that the Plan need not cover all the area now included. The Planning Area is substantially larger, in many areas, than that proposed by Gertler. The Plan should be limited to visible rock outcroppings and land in its area, not exceeding half a mile, unless truly unique environmental characteristics are present.
4. If the Commission insists on a continuous Planning Area they should establish more flexible land use policies. In all areas, more emphasis must be given to farming than has been done. Agriculture and forest production should be given the highest priority.
5. The Commission should reduce the Planning Area so as to minimize the amount of agricultural land included.

6. The Commission recognizes that future residential development is essential and that it is impossible to protect both agricultural and recreational lands simultaneously without stopping all future growth. When there is a direct conflict in land use, farming must take priority over recreational uses. Thus additional future housing be allowed on lower class land.
7. The Commission withdraw all reference to viability in future plans because this concept is both inappropriate and extremely difficult to operationalize.
8. The Commission recognize the difficulties of applying the Food Land Guidelines on a piecemeal basis and leave their application to the local municipalities.
9. The Commission accept that there shall be no restrictions on present or future uses of farm land or farm buildings which do not apply to the remainder of a municipality.
10. The Commission study the demand for parks and adjust the number of proposed parks to better reflect economic conditions likely to exist in the future.
11. The Commission encourage the Government of Ontario to:
    (a) Give development of existing park reserves a much higher priority.
    (b) Purchase within twelve months all land designated for acquisition in the revised park schedule (10. above) which the owners wish to sell.
    (c) Renounce the expropriation of land for any purpose related to the Plan.
    (d) Rent land in park reserves to farmers on a long term basis, where appropriate.
12. The Commission recommend that the local municipality

be the implementing agency. In those cases where planning support is required, the Niagara Escarpment Commission undertake to underwrite these services by a mutually agreeable system.

13. The Commission renounce all intention to utilize or allow other implementing agencies to utilize development control in the administration of the Plan. This is the single most important recommendation the hearing officers can make to the Commission.
14. The Plan should be expressed with more clarity and in simple language so that the public can understand its meaning.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-38

SUBMISSION NO. 152

OWNER: Harold M. Forbes

SUMMARY OF SUBMISSION:

This oral submission was concerned primarily with the delays in approval of the Proposed Plan and the implementation and enforcement of the Plan since Mr. Forbes is of the opinion that there are already enough agencies to deal with concerning development.

RECOMMENDATION:

None.

REASONS:

This submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-127 SUBMISSION NO. 153

AGENT: Martin Parker, President

GROUP: Saugeen Field Naturalists

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and recommends that small wayside pits should be permitted only in the Escarpment Rural Areas and that no additional commercial operations should be permitted.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-130

SUBMISSION NO. 154

AGENTS: Brock Harris and B.W. Vanderbrug

GROUP: Chairmen's Committee of the Conservation Authorities of Ontario

---

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan and in addition made the following recommendations:

1. That all transportation and utility facilities, regardless of land use designation be of an essential nature and subject to the environmental guidelines.
2. That the permitted recreational uses under the Escarpment Protection Area designation be expanded to include, interpretation, camping, scientific, educational and historical developments.
3. That as far as conservation areas are concerned that the land use designations and policies as suggested in the Plan be used as a guide only and that development of conservation areas continue to be in accordance with master plans developed through the existing process.
4. That detailed policies regarding the removal of aggregates from the Escarpment be included in the Plan and that prior to using the three alternative sources for aggregate suggested in the Plan that the social, economic and environmental implications be assessed in detail and that the Plan include a qualifying statement to this effect.
5. That the development criteria be expanded particularly as it related to setbacks and building heights and that

the implementing body be required to obtain a recommendation from the local Conservation Authority prior to giving approval to new developments.

6. That the designation "Areas of Direct Provincial Interest" be deleted from the Plan or that the description of this designation be expanded to clearly define its overall intent.

7. That development on existing lots be permitted only if it meets the current municipal, health and servicing requirements.

8. That the Plan be amended to clearly state that regulations passed by Conservation Authorities take precedence over guidelines and policies in the Plan.

9. That as far as forest management is concerned that new agreements can be entered into without the need of approval by the implementing body as long as the agreement meets the guidelines as outlined in Section 2.9.9.

10. That where the Bruce Trail is on Conservation Authority lands that the Conservation Authority be the enforcement agency.

11. That existing and proposed acquisition by Conservation Authorities along the Niagara Escarpment be recognized as being part of the Niagara Escarpment Parks System and that Provincial subsidies for acquisition and maintenance be set at 75%..

12. That implementation of the Plan to local levels be defined as being either a Region or County.

13. Since the Ministry of Natural Resources is encouraging Conservation Authorities to focus on water management rather than recreation that this possible conflict with parts of the Proposed Plan should be resolved before final approval of the Plan.

14. That the terminology in the Proposed Plan and accompanying maps be checked for consistency.
15. That the procedure for amendments to the Proposed Plan be clearly set out in the Plan.

EXHIBITS:

105. Niagara Escarpment Acquisition Proposal as submitted by the Conservation Authorities of Ontario (Chairmen's Committee) indicating:
Ministry of Natural Resources
Conservation Areas
Ministry of Natural Resources Holdings
Existing Conservation Areas

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-67 SUBMISSION NO. 155

OWNER: Joseph Lesich

SUMMARY OF SUBMISSION:

This submission is opposed to both the *Niagara Escarpment Planning and Development Act* and the Proposed Plan and wants all planning to be left at the local level.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-144

SUBMISSION NO. 156

OWNER: Dr. Allan Stone

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and would like to see funding for park acquisition increased significantly.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-103 SUBMISSION NO. 157

OWNER: Robert Leverty

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-1

SUBMISSION NO. 158

OWNER: Lloyd Oliver

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan with particular reference to the aspects affecting the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-68

SUBMISSION NO. 159

OWNER: H. Vincent Elliott

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan but was concerned about further development eroding the good intentions of the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-76 SUBMISSION NO. 160

AGENT: Dr. John Cartwright

GROUP: McIlwraith Field Naturalists of London Inc.

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan but wants the Niagara Escarpment Commission to maintain some form of control or approval over all development in the area of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-19 SUBMISSION NO. 161

AGENT: Dr. Paul F.J. Eagles

GROUP: Some University of Waterloo Students

SUMMARY OF SUBMISSION:

This submission was a compilation of a number of studies undertaken by students at the University of Waterloo and was in general support of the Proposed Plan although it made several recommendations for improvements in the Plan. Among these recommendations are the following:

1. That motorized vehicles be banned in Escarpment Natural Areas.
2. That golf courses be eliminated as a permitted use in Escarpment Protection Areas.
3. That various impact studies covering environmental, aesthetic, social assessment, carrying capacity, etc. be done for any development.
4. That No. 6 in Section 2.9.11 be reworded as follows: "...relocation to a less critical location will be implemented."
5. That No. 7 in Section 2.9.11 be reworded to change the word "should" to "will".
6. That more heritage research be undertaken to insure that no region is overlooked.
7. That no known archaeological sites be altered until studied by a heritage research team.
8. That existing uses in Escarpment Natural Areas be permited as long as they abide by the intent and policies set out in the Plan.
9. That only one new lot per lot will be created in the

Escarpment Protection Areas and no new lots will be created in any forested areas. In open areas lots will only be created by a plan of subdivision or, one lot may be created per existing farm for the use of the immediate family of the farmer and only with some restrictions to avoid its immediate resale.

10. That commercial forestry is to be allowed in Escarpment Protection Areas as long as total species diversity is not decreased.

11. That transportation corridors are to avoid Escarpment Natural Areas. In the other areas the least ecologically damaging route will be selected. An obligatory environmental impact assessment will occur for any proposed corridors.

This submission made several other recommendations which in the opinion of the submitters would tighten up the wording of the Plan to more severely restrict activities in the area of the Proposed Plan.

In addition it was recommended that an elected Niagara Escarpment Council be established to implement and supervise the Plan assisted by an expert advisory group.

EXHIBIT:

106. Curriculum Vitae - Dr. Paul F.J. Eagles

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-47

SUBMISSION NO. 162

AGENT: Henry Graupner

GROUP: Federation of Ontario Hiking Trail Associations

SUMMARY OF SUBMISSION:

This submission supported the Proposed Plan with particular reference to the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-112 SUBMISSION NO. 163

OWNER: Leonard O. Gertler

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan which contained some historical background of his original work.

EXHIBIT:

108. Curriculum Vitae - Leonard O. Gertler

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-132

SUBMISSION NO. 164

AGENT: David Lawrence

GROUP: Canadian Institute of Planners
Central Ontario Chapter

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan and in addition made the following recommendations among others:

1. That the Commission's role in the development permit system be retained until such time as a municipality's official plan is brought into conformity with the Proposed Plan.
2. That the Commission be retained and have an active role in implementation of the Proposed Plan.
3. That changes in the list of Minor Urban Centres be made by formal amendment to the Proposed Plan.
4. That severances in Escarpment Protection Areas not be an automatic right.
5. That development review guidelines be prepared and made part of the Proposed Plan.
6. That a more reasonable procedure for amendment to the Proposed Plan be prepared.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-22 SUBMISSION NO. 165

OWNER: Mrs. Margaret Quinton

SUMMARY OF SUBMISSION:

This submission stated that consideration should be given to totally rewriting the *Niagara Escarpment Planning and Development Act* and returning control and planning to the local municipalities.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-43

SUBMISSION NO. 166

OWNER: Mrs. Irene Potter

SUMMARY OF SUBMISSION:

This submission was to the effect that the submittor's property be removed from the Plan since in her opinion there is no benefit accruing to her.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-92 SUBMISSION NO. 167

OWNER: Gordon Thompson

SUMMARY OF SUBMISSION:

This submission dealt primarily with the Bruce Trail aspects of the Proposed Plan and recommends that the Bruce Trail corridor be designated as a Nature Reserve Park and further suggests that detailed regulations be set out in the Plan for the use and operation of the Bruce Trail. It further suggests that it be spelled out who is administratively responsible for the Niagara Escarpment Parks Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-24

SUBMISSION NO. 168

OWNER: Robert C. Thompson

SUMMARY OF SUBMISSION:

This submission was in complete opposition not only to the Proposed Plan but the *Niagara Escarpment Planning and Development Act* as well.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-136 SUBMISSION NO. 169

AGENT: John F.B. Maher

GROUP: Canadian Society of Environmental Biologists
Ontario Chapter

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan but as far as mineral extraction is concerned recommends that there be no new licensed areas in Escarpment Rural Areas and that no new wayside pits be allowed in Escarpment Protection Areas and that existing licences in both the Escarpment Protection and Escarpment Natural Areas be phased out over the next five years.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-56

SUBMISSION NO. 170

AGENT: Edward Neelands, Councillor

GROUP: Township of Holland

SUMMARY OF SUBMISSION:

This submission was one of complete opposition to the Proposed Plan and its enabling legislation.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-49 SUBMISSION NO. 171

AGENT: George Weider

GROUP: Blue Mountain Resorts Limited & Craigleith Development Limited

---

SUMMARY OF SUBMISSION:

The brief in general supports the Proposed Plan but has some concerns as to its implementation. In Escarpment Recreation Areas it is felt development control should prevail. In situations dealing with housing as it concerns the subject holdings it should be supplemented by zoning. Zoning should be the planning tool used to regulate the village core proposed for the foot of the Blue Mountain and not development control. Residential development associated with the village core as defined in the Craigleith-Camperdown Secondary Plan should also proceed by zoning.

In the areas of the Plan in the County of Grey, the County should administer development control and/or zoning. Appeal procedures before hearing officers appointed by the Minister as is presently the case is endorsed. The Ontario Municipal Board is acceptable conditionally as an alternative. Objection is taken to extensions of field of notice regarding decisions or permit applications except for notice to municipalities. When the Plan is approved, Provincial monitoring should continue.

EXHIBITS:

109. Economic Impact of the South Georgian Bay Ski Resort Industry by J. Bruce Morgan, University of Waterloo (1980).

110. Craigleith-Camperdown Area Secondary Plan
Craigleith Village Core Area Concept Plan
August, 1979
Prepared by: Knox Martin Kretch Ltd., Bramalea, Ontario

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-66 SUBMISSION NO. 172

AGENT: John R. Poste, President

GROUP: Blue Mountains Bruce Trail Club

SUMMARY OF SUBMISSION:

The submission approves in principle the Niagara Escarpment Commission's Proposed Plan. Agreement is stated with this Plan's proposal for land acquisition as it becomes available and suggests funding for such be made available beyond the five years contemplated.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-93

SUBMISSION NO. 173

OWNER: Richard C. Jones

SUMMARY OF SUBMISSION:

The submission is in opposition to Section 2.9.9 of the Proposed Plan as it precludes farm management of forests. Opposition is taken to the restriction on tree cutting. This owner has a parcel of land that he would like to log and has regarded its logging potential as being in lieu of a pension fund and fears the provisions of the Proposed Plan will defeat his objective.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in general section of this report.

FILE NO. G 700-61 SUBMISSION NO. 174

OWNER: Donald Abernethy

SUMMARY OF SUBMISSION:

The brief by the above is in complete opposition to the Proposed Plan and the *Niagara Escarpment Planning and Development Act* which created it.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-134

SUBMISSION NO. 175

COUNSEL: Grace Patterson

GROUP: Canadian Environmental Law Association

SUMMARY OF SUBMISSION:

The above Association through its legal counsel adduced evidence by Professor Ian L. McHarg an authority on landscape architecture and land use planning. His extensive qualifications are listed in his curriculum vitae entered as Exhibit 111. He was in support of the Proposed Plan and outlined the procedures that should be invoked in its preparation and expressed concurrence with the methodology used by the Niagara Escarpment Commission in drawing the Proposed Plan. The professor is of the opinion that the Escarpment feature exists whether above or below the ground. He assumes that the data reports prepared by the Province for the Proposed Plan are reliable although he did not read other than the titles and expressed his trust in the ability of Canadian universities from whence the Provincial staff may have come. McHarg admitted the Plan got his serious consideration only two days before he arrived at the hearing.

EXHIBIT:

111. Curriculum Vitae - Ian L. McHarg

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-123 SUBMISSION NO. 176

AGENT: Ron Jones, President

GROUP: Simcoe County Federation of Agriculture

SUMMARY OF SUBMISSION:

The submission expresses concern regarding the potential impact of the Niagara Escarpment Commission's Proposed Plan on farmers and farm businesses. It is felt that Section 2.9.7 of the Plan dealing with farm viability, etc. could in final interpretation result in unnecessarily restrictive regulations which could make the farming industry less competitive. In addition the Plan may be too general in its recommendations to accommodate the wide variety of farming operations throughout the Escarpment. Recreation uses should not be placed higher on the list of priorities in the Plan than agriculture. The Provincial program review, of November 1975, recommending some restraints in Provincial Government capital spending on such projects as land acquisition for Escarpment parks is endorsed by the Federation. The Federation does not believe hiking trails are compatible with intensive agriculture and should not be encouraged until many problems now existing are resolved. No Provincial financial assistance should be given for trail purposes.

In summary the Federation prefers abandonment of the Niagara Escarpment Commission's Proposed Plan and land use policy, making it, remain as now, a municipal responsibility.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-126

SUBMISSION NO. 177

COUNSEL: Paul Shaw

GROUP: Township of Nottawasaga

SUMMARY OF SUBMISSION:

This oral submission was given by Ross Raymond, a planning consultant and made the following recommendations:

1. Re-write the agriculture section to make use of Food Land Guidelines in their entirety.
2. Local official plans must use same land use policies since there should be only one policy applying to a specific piece of land.
3. That the maps be revised to reflect the changes in agriculture sections recommended in No. 1 above.
4. Protective policies should be applied as overlays.
5. Proposed Plan becomes a Provincial policy rather than a plan.
6. Protective policies be handled by development control.
7. Development control in Simcoe and Dufferin Counties should be reverted to local control by forming a new single body.
8. More detailed criteria should be inserted into the Plan in a form which resembles zoning by-laws.
9. Notice of hearings and decisions regarding development control should be limited to immediate neighbours and affected landowners.
10. That the possibility of expropriation be removed from the Plan.
11. That the Bruce Trail be permitted to occupy road allowances and on private lands by agreement only.

EXHIBITS:

112. Report No. 1 to Simcoe County Council from the Planning Committee dated March 25, 1980.

113. Minister's Order (Department of Municipal Affairs) made under *The Planning Act* re: Zoning Order, County of Simcoe, Township of Nottawasaga dated at Toronto on February 20, 1970.

114. Official Plan of the Nottawasaga Planning Area dated September, 1972.

115. Population Chart for the Township of Nottawasaga from 1966 to 1980 (not dated).

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-3

SUBMISSION NO. 178

OWNER: Robert Merritt

SUMMARY OF SUBMISSION:

This submission is really in opposition to what is considered unreasonable controls by the Proposed Plan. It is unrealistic to have the imposition of the Niagara Escarpment Commission's controls on top of existing municipal planning regulations.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-4 SUBMISSION NO. 179

COUNSEL: J. Twohig

GROUP: Property Owners Rights Association

SUMMARY OF SUBMISSION:

This submission pointed out that the goal of the Proposed Plan is acceptable provided however that "compatible" demands include reasonable residential housing and the protection of the rights of property owners.

The following recommendations or comments were made:

1. Development to be by site plan agreements provided procedures administered by local municipalities.
2. In favour of the concept of the Bruce Trail but does not believe it necessary for the trail to be continuous.
3. All lots of record in existence prior to the approval of the Plan and that conform to local municipal by-laws should be allowed to be developed.
4. That easements for the Bruce Trail not be required as a condition prior to obtaining a building permit (Exhibit 116 was an example wherein one of the conditions imposed by the Niagara Escarpment Commission was that an easement for the Bruce Trail be given prior to development permit approval being given).
5. Section of the Escarpment should be designated Mineral Resource Areas to ensure a long term supply of aggregate material.
6. Provision should be made for the continuous harvesting of private woodlots.
7. Controls should not apply to agricultural lands.

8. Lands in the immediate vicinity of the scarp should be made available for development to help relieve the pressure for development on agricultural lands in some areas such as the Niagara Peninsula.

This submission was one of many that was concerned with the procedures used by the Niagara Escarpment Commission in approving or not approving development permit applications in that an applicant is not allowed to make representations at the Commission meeting considering his/her application.

EXHIBITS:

116. Niagara Escarpment Commission letter dated April 6, 1976 re development control application 174/N/R/75/249, George H. Culp, Township of Lincoln.
117. Report of the Hearing Officers, Parkway Belt West, February 1977.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the objectives of the Proposed Plan but clearly objects to the manner in which these objectives are being met. We have attempted to answer this in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-71 SUBMISSION NO. 180

OWNER: Robert Campbell

SUMMARY OF SUBMISSION:

This submission is in opposition to the restrictions proposed in the Niagara Escarpment Commission's Proposed Plan. If private lands are to be regulated for the benefit of others then the owners should be compensated. The powers now being exercised by the Commission should be limited to providing advice to local planning boards. Existing Provincial boards are quite capable of continuing their present functions re housing, forestry, etc. without intervention of the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-135

SUBMISSION NO. 181

OWNER: Meryl Prange

SUMMARY OF SUBMISSION:

While this submission supports some of the aims of the Proposed Plan it questions the honesty of the approach to the public made by the Commission. There have been many problems in the processing of development permits and there is resentment at having to make frequent trips to the Niagara Escarpment Commission's office at Clarksburg to have matters resolved. This owner is opposed to the inclusion of condominium and estate type housing where such is permitted in the Plan. The Commission has lost contact with the public, and it should have been composed to a greater extent of people who owned property within the Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-101 SUBMISSION NO. 182

AGENT: Walter Reid, Immediate Past Chairman

GROUP: Sydenham Federation of Agriculture

SUMMARY OF SUBMISSION:

This submission asked for the total abolishment of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-21

SUBMISSION NO. 183

AGENT: Mrs. Coleen McNichol

OWNER: Frank and Ismay Richardson

SUMMARY OF SUBMISSION:

This submission was in opposition to the development control system and objected to acquisition of private land by expropriation.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-118 SUBMISSION NO. 184

AGENT: Stewart Hamill

SUMMARY OF SUBMISSION:

This submission was in full support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-108

SUBMISSION NO. 185

AGENT: George Zubek, President

GROUP: Association of Ontario Land Surveyors

SUMMARY OF SUBMISSION:

The submission expresses concern about the boundaries of the Proposed Plan. Comment is not made on the merits of the Plan, but it is suggested that the method of defining zone boundaries used in the Plan is unsatisfactory and will cause delays and expense to owners when they wish to develop their lands. There is too much discretion in the hands of the Commission in interpretation of the Plan's boundaries.

RECOMMENDATION:

None.

REASONS:

This submission is of a general nature and recourse should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-63 SUBMISSION NO. 186

OWNER: Ivan Lemcke

SUMMARY OF SUBMISSION:

This submission was in opposition to the Proposed Plan and the concern that owners' rights are being taken away.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-69

SUBMISSION NO. 187

AGENT: Ralph Davidson

GROUP: Dufferin Federation of Agriculture

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan but pointed out four points of concern as follows:

1. Opposed to farms having to be proved "viable".
2. The criteria for development are made meaningless since additional criteria may be employed by the implementing body.
3. It should be made quite clear in the Proposed Plan that expropriation will not be used as a means of acquisition since the *Niagara Escarpment Planning and Development Act* itself provides for expropriation.
4. Classes 1 to 4 of agricultural land now being farmed should be removed from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-40 SUBMISSION NO. 188

OWNER: Sam S. Sharpe

SUMMARY OF SUBMISSION:

This submission wants control returned to local municipalities and is opposed to the Proposed Plan in its entirety.

EXHIBIT:

118. Study for Ontario Real Estate Association
"Losing Ground", the erosion of property rights
in Ontario, 1979.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-75

SUBMISSION NO. 189

AGENT: Terry Doxtator

GROUP: Union of Ontario Indians

SUMMARY OF SUBMISSION:

This submission was concerned with the protection of Indian burial sites and requested that until there is some actual protection of these sites that their locations not be made public.

RECOMMENDATION:

None.

REASONS:

We were assured at the hearing by Ministry of Natural Resources officials that the Ministry will continue to safeguard these sites.

FILE NO. G 700-110 SUBMISSION NO. 190

OWNER: E. Schmutz

SUMMARY OF SUBMISSION:

This submission was in complete opposition to the Proposed Plan and requested that the Niagara Escarpment Commission be disbanded.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-78

SUBMISSION NO. 191

OWNER: Raymond Bumstead

SUMMARY OF SUBMISSION:

Mr. Bumstead who is the President of Hare Real Estate in Owen Sound feels that the price of properties in the development control area are being depressed. He cited examples of properties which were difficult to sell. He further stated that prices were so depressed that it would be difficult to arrive at true market value.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-73 SUBMISSION NO. 192

AGENT: Paul Maycock, Ph.D.

GROUP: Ontario Conservation Panel of the
Canadian International Biological Programme

SUMMARY OF SUBMISSION:

Dr. Maycock, who is a professor of Botany at the University of Toronto, appeared on behalf of the above named organization. He explained the objectives of the International Geophysical Year which took place in 1957 and the studies and benefits which went into it. He stated that the Ontaro Chapter wholeheartedly supports the objectives of the *Niagara Escarpment Planning and Development Act* and the Proposed Plan. Dr. Maycock is concerned with the reduced area of the Plan and feels that the reduction has resulted in the loss of many significant areas. This organization also takes a strong stand against quarries and commercial forestry on the Escarpment. In addition this group insists that the areas proposed for protection remain unchanged and that total protection be afforded this unbelievably valuable and beautiful asset in our Province.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-87

SUBMISSION NO. 193

OWNER: Thomas N. Jones

SUMMARY OF SUBMISSION:

Mr. Jones who is a resident of the Grey-Bruce area finds the aesthetics of the Escarpment very interesting and feels that many developments now existing have protected the Escarpment. He feels that as a result of the creation of the Commission that local government took a more responsible attitude toward planning. In his opinion the whole process should be handed back to the local people. He also feels that the present system of handling applications for development does not allow a fair hearing.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-94 SUBMISSION NO. 194

OWNER: W.M. Pratt, Q.C.

SUMMARY OF SUBMISSION:

Mr. Pratt is a lawyer who resides in Listowel but, who owns summer property in the Township of Albemarle and appeared to speak on behalf of his land. It can be safely concluded that Mr. Pratt's opposition is not with the Proposed Plan but rather with the extensive planning area. He expressed the fear that until that area is reduced to fit the Proposed Plan there may be some problem of being included in some political decision.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-45

SUBMISSION NO. 195

AGENT: Grant Bell

GROUP: Dufferin-Hi-Land Bruce Trail Club

SUMMARY OF SUBMISSION:

Mr. Bell who is a long time member of the Bruce Trail organization appeared to support the concept of a continuous footpath from Tobermory to the Niagara area. In his opinion the trail should be clearly indicated as it was in the Preliminary Proposals and that route would be acceptable to him. He felt that the best way of securing the trail should be by easements. He stated that it is not desirable to use roads because of the traffic and dust.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-85 SUBMISSION NO. 196

OWNER: Mrs. Muriel Lowcock

SUMMARY OF SUBMISSION:

Mrs. Lowcock is the current president of the Dufferin-Hi-Lands Bruce Trail Club and simply appeared in support of the position taken by Grant Bell, a spokesman for the Club (Submission 195).

RECOMMENDATION:

None.

REASONS:

This matter is dealt with (see Submission 195) in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-53

SUBMISSION NO. 197

OWNER: John M. Taylor

SUMMARY OF SUBMISSION:

Mr. Taylor is the owner of a large 300 acre farm in the Township of Keppel, a large portion of which lies within the boundaries of the Proposed Plan. This gentleman feels that matters would be best left in the hands of the local people. He cited several areas of the Proposed Plan that he did not agree with. He feels that there are sufficient controls in place now under various Provincial agencies and that the Plan would simply impose an additional level of control.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-120 SUBMISSION NO. 198

OWNER: Malcolm J. Sanderson

SUMMARY OF SUBMISSION:

Mr. Sanderson appeared as an interested citizen who enjoys the outdoors and wished to voice his support for the Proposed Plan. He feels that one regulatory agency should be responsible for the whole of the Plan. He also believes that the public good should have precedence over the rights of individuals. He foresees some difficulty with conflicting recreational uses and that the Plan might contain some suggestions on how to control abuses of recreational areas. He suggests that the Province have a "first option" to purchase all land within the Parks System. Mr. Sanderson, who is a member of the Bruce Trail, indicated that "the trail is the Escarpment".

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-55

SUBMISSION NO. 199

AGENT: Arthur Timms

GROUP: Conservation Council of Ontario

SUMMARY OF SUBMISSION:

This Council which is made up of some 36 different Provincial associations have always been supportive of the principle of preserving the Escarpment and supports the Proposed Plan. They do, however, have general concerns about the Plan. The Council feels that significant parts of the planning area remain unprotected. Secondly, it is felt that the implementation procedure is not fully spelled out. There should be a stronger indication by the Government on the matter of funding for acquisition for instance. They also set out six specific topics for consideration:

1. The Council feels that the Province should be involved in the implementation to ensure the preservation of the Provincially significant resource.
2. The Council is not satisfied with the manner in which the Proposed Plan boundaries were established. They feel that some buffer areas are not adequate and the boundaries be extended.
3. It is quite apparent that the Council does not support the Proposed Plan in the matter of aggregate extraction. The existing operations should be phased out over a five year period.
4. The Council endorses the Bruce Trail concept and feels that it should, with Government support, be made a major land management organization.
5. In the case of lots of record the Council does not agree with the Proposed Plan and feels that no development should take place.

6. The Council suggests that to implement the Plan that a modified body similar to the present Commission be formed and charged with the implementation process. It should be empowered even to purchase lands if necessary.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-70

SUBMISSION NO. 200

AGENT: Miss C. Dallinger

GROUP: University of Toronto Outing Club

SUMMARY OF SUBMISSION:

This club provides inexpensive outdoor activities to members of the university community. It owns and maintains a chalet in the Kolapore Uplands which provides many outdoor activities. The Club found the Proposed Plan very readable and is pleased with the considerations offered such things as the Bruce Trail and significant natural areas.

One of the minor problem areas raised was the implementation process. The matter of funding is a concern and there should be greater input by the Province not only for acquisition but also maintenance.

The club supports the continuation of the Niagara Escarpment Commission to implement the Plan. The club is strongly opposed to Section 2.9.11, Item 7, which indicates that the Parks Canada Trail Manual be used. They feel that this is not an appropriate manual. Other matters covered in the brief presented covered the Parks System and mineral resources.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-23 SUBMISSION NO. 201

AGENT: J. Gavin Warnock

GROUP: Acres Consulting Services Limited

SUMMARY OF SUBMISSION:

This submission expressed the opinion that since the Niagara Escarpment must be looked at as the source of supply for aggregate for at least the rest of this century that consideration should be given to underground extraction (mining) of aggregate so as to afford a greater protection to the environment.

RECOMMENDATION:

None.

REASONS:

We do not feel that the Plan should deal with methods of extraction.

FILE NO. G 700-88

SUBMISSION NO. 202

OWNER: Walter Scott

SUMMARY OF SUBMISSION:

This submission was completely opposed to both the *Niagara Escarpment Planning and Development Act* and the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-62 SUBMISSION NO. 203

AGENTS: Fred Davenport, James Rodgers, Norman E. Seabrook and Joseph Lesich

GROUP: Niagara Escarpment Northern Ratepayers Association

SUMMARY OF SUBMISSION:

This lengthy submission was designed to show how local people can look after their own affairs and properties and recommended that since the Proposed Plan is unacceptable, unnecessary, and redundant that it be abandoned in its entirety.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-64

SUBMISSION NO. 204

OWNER: Phil McNichol

SUMMARY OF SUBMISSION:

This submission was in opposition to the Proposed Plan and gave the opinion that the Plan does not properly differentiate between urban and rural.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-125 SUBMISSION NO. 205

OWNER: David Hindson

SUMMARY OF SUBMISSION:

Although the submission made comments on several aspects of the Proposed Plan it ended with the recommendation that the Plan be rejected in its entirety.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-25

SUBMISSION NO. 206

OWNER: J. Ross Raymond

SUMMARY OF SUBMISSION:

This oral submission may be summed up as follows:

1. Leave regulation of land use to the local municipal zoning by-law in the ordinary process and use development control to protect the Escarpment.
2. Formation of a development control committee composed of representatives of the Townships of Mono, Mulmur, Nottawasaga and Melancthon which would act in a manner similar to a Land Division Committee.
3. Appeals from decisions in No. 2 above, to be made to the Ontario Municipal Board.

EXHIBIT:

119. Charts:
    1. Present Planning Process
    2. Niagara Escarpment Planning Process
    3. Alternative Planning Process for Independent Planning Areas Affected by the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-74 SUBMISSION NO. 207

OWNER: Mrs. Freda Thompson

SUMMARY OF SUBMISSION:

This submission was in complete opposition to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-142

SUBMISSION NO. 208

OWNER: Malcolm M. Campbell

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan but would like to have aggregate extraction phased out from the face of the Escarpment. Strong supporter of the Bruce Trail and it should be continuous. Administration of development control should be turned over to Regional Municipalities where they exist and perhaps some agreement can be worked out with Counties as well.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-51 SUBMISSION NO. 209

COUNSEL: A.C.R. Whitten

OWNER: Alex Torrie

SUMMARY OF SUBMISSION:

This submission dealt primarily with suggestions that the Plan be clarified in several sections particularly that it should be expanded to deal with legal problems that may result from the Bruce Trail operation but offered no suggestions as to how this should be accomplished.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-2

SUBMISSION NO. 210

OWNER: Mrs. Freda Bunner

SUMMARY OF SUBMISSION:

This submission expressed the importance of preserving the Escarpment and was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-99 SUBMISSION NO. 211

AGENTS: Bruce Hillman, Sam Sharpe and William Shannon

GROUP: Collingwood and District Real Estate Board

SUMMARY OF SUBMISSION:

Three individuals appeared to speak on behalf of this local real estate organization. One of the witnesses, Bruce Hillman, stated that a previous presentation on behalf of the Ontario Real Estate Board did not truly represent the views of the Board and would be corrected by a letter. William Shannon found no fault with protecting the scarp but felt that the scarp is far too wide. It was also his opinion that the Plan will devalue land prices and that people will simply not purchase property which is located in areas under the Proposed Plan. It appears in this case that some of the material presented related to the Preliminary Proposals and not to the present Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-5

SUBMISSION NO. 212

AGENT: William Shannon, Vice President

GROUP: Ontario Libertarian Party

SUMMARY OF SUBMISSION:

The submission is in opposition to any of the controls provided in the Proposed Plan and by the provisions creating the Plan in the *Niagara Escarpment Planning and Development Act*. Such restraints impinge on the ability of an owner to properly control his own land and affects the investment value of property. The speaker emphasized his abhorrence of any type of land use controls and his position taken on behalf of his party goes far beyond opposition to the Proposed Plan alone.

If the people of Ontario want to save the Escarpment then those interested should privately purchase either the lands, or the use of the lands concerning them.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-39 SUBMISSION NO. 213

AGENTS: Roy Bullen and James Rodgers

GROUP: Bruce Peninsula Snowmobile Trail Association

SUMMARY OF SUBMISSION:

Mr. Bullen presented a brief at the hearing which covered the activities of his club and how it operates. He actually did not speak either for or against the Proposed Plan but did say that there should be no Government involvement in their present operation. Mr. Rodgers presented movies to illustrate his point of view.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-17

SUBMISSION NO. 214

AGENT: Gordon Rodgers

GROUP: Ministry of Natural Resources

SUMMARY OF SUBMISSION:

The Ministry of Natural Resources because it is the one Government of Ontario department which is most significantly affected by the Proposed Plan took an appointment and presented its views on the Plan. It is apparent that the Ministry supports the Proposed Plan and believes it to be fundamentally sound but feels that there is room for improvement. The views of the Ministry were presented by Mr. Rodgers, who was assigned the position of Coordinator of the Niagara Escarpment by the Minister and who in turn called qualified witnesses to support the position taken.

There has been a continuing liaison with the Niagara Escarpment Commission from the beginning in 1973 and the Ministry has prepared eleven technical reports on all aspects of Ministry of Natural Resources interests. It is important to note that the Proposed Plan touches on all areas of programs carried out by the Ministry. It is also apparent that many of the criticisms of the early proposals were met within the Proposed Plan but concern still exists with the details of policies and implementation strategies in the Proposed Plan.

It is pointed out that if the Proposed Plan were approved in its present form it would require an expansion of the mandate of the Ministry of Natural Resources, changes in existing policies and also in legislation.

In the presentation, ten separate headings were dealt with and in each case certain recommendations were set forth under the letters A to W. In each case the problem was identified under a heading of "Comment" and the recommendations were then set out. These are as follows:

Recommendation A

The Proposed Plan should state clearly its intended level of application as that of "policy", comparable to the level contained within an official plan; and the contents of the Proposed Plan should reflect this approach.

Recommendation B

Specific guidelines for development or management should be reserved for a series of technical appendices or schedules (e.g. guidelines for park planning and management or mineral resource development).

Recommendation C

The Proposed Plan should contain an explanation of the level of application of the accompanying maps. The Proposed Plan should allow for the adjustment of boundaries based on more detailed data or more precise mapping.

Recommendation D

Earth Science Candidate Nature Reserves and significant geological sites should be given protection through designation as Escarpment Protection and Escarpment Natural Areas.

Recommendation E

The impact (on lands of concern to the Ministry of Natural Resources) of allowing development of lots of record should be the subject of study prior to completion of the final plan.

Recommendation F

The headwater areas of cold water streams and the streams themselves should be included within Escarpment Natural Areas designation.

Recommendation G

The Proposed Plan should clearly explain that the Niagara Escarpment Parks System will consist of parks managed by ten different agencies (Ministry of Natural Resources, eight Conservation Authorities, and Niagara Parks Commission).

Recommendation H

The organization of a system of parks along the Niagara Escarpment should be the subject of discussion between the Niagara Escarpment Commission, Ministry of Natural Resources, and the Conservation Authorities over the next several months. The aim of these discussions would be to resolve a working relationship acceptable to all parties prior to preparation of a final plan for the Niagara Escarpment.

Recommendation I

Reference to Ontario Provincial Parks policies should be removed.

Recommendation J

A park classification system is an appropriate tool to use in the Niagara Escarpment Parks System. Its definition and application should be the subject of review by all agencies involved. The identification of "parks" in the system with specific classifications will assist the managing agencies in determining appropriate management strategies. We suggest the additional category of "Recreation Area", for those parcels which might not meet the criteria for designation as a "Park".

We further suggest that some of the proposed parks be left as undesignated public land. The sites identified as such in our detailed comments are locations where resource management is the main activity.

Recommendation K

Guidelines for planning and management of each class of park should be prepared and included as appendices to the Plan. These should remain flexible enough to recognize differing mandates and philosophies of the various agencies involved. Special attention should be given to the Nature Reserve class of parks, where more rigid adherence to a set of guidelines should be a desirable objective.

Recommendation L

The land acquisition program recommended in the Proposed Plan should be the subject of discussion between Niagara Escarpment Commission, Ministry of Natural Resources, and Conservation Authorities. It is possible that we may reach some resolution of the differences between that proposed in the Plan and that approved by the Ministry of Natural Resources and the Conservation Authorities.

Recommendation M

The Proposed Plan recommends a five-year, $25,000,000 acquisition program which depends entirely on purchase from willing vendors. We recommend that the Niagara Escarpment Commission reconsider this proposal, since the expenditure of this sum over a five-year period may be unrealistic and overly ambitious.

Recommendation N

Sections 2.9.4 and 2.10.2 of the Proposed Plan should acknowledge the role of the Conservation Authorities as implementing agency under the authority of Section 27 of the *Conservation Authorities Act*.

Recommendation O

The role of the Conservation Authorities in the parks system and the relationship proposed between Conservation Authorities and Ministry of Natural Resources should be the subject of discussions between Niagara Escarpment Commission, Conservation Authorities and Ministry of Natural Resources in the near future. The aim of these discussions: to resolve a working relationship acceptable to all parties prior to preparation of the final plan.

Recommendation P

Existing agreements for forest management on public lands should not be jeopardized by Nature Reserve designation; careful consultation between staff of the Ministry of Natural Resources and the landowners must occur before any forest agreements are changed.

Recommendation Q

Ministry of Natural Resources should be recognized as the implementing body for issuance of forestry agreements and tree-cutting permits.

Recommendation R

The Niagara Escarpment Commission should amend their policies related to mineral resources to accommodate the industry better until alternative sources can be found outside the planning area.

Recommendation S

Selected, high priority mineral resource protection areas should be identified on a reference map for the entire planning area.

Recommendation T

The following policies should apply to the licensing of new pits and quarries in the Niagara Escarpment Planning Area:

(a) In Escarpment Rural Areas:
Within those areas identified by the Ministry of Natural Resources as "high priority mineral resource protection areas", new licensing procedures without amendment to the Niagara Escarpment Plan.
NOTE: Appropriate development control procedures and the Ministry of Natural Resources licensing procedures would apply.

(b) In all other parts of the planning area:
new licences should not be issued except through an amendment to the Niagara Escarpment Plan.

Recommendation U

The Niagara Escarpment Commission should develop specific criteria for each land use designation to be used by the implementing body to evaluate the acceptability of licence applications.

Recommendation V

The Niagara Escarpment Commission, in consultation with the Ministry of Natural Resources, should develop appropriate policies to protect from incompatible uses, those areas identified by Ministry of Natural Resources as "High Priority Mineral Resource Protection Areas".

Recommendation W

Re: Section 2.9.2

That part of Section 2.9.2 which relates to the possible purchase of lots of record by the Government of Ontario should only apply to lots located within approved acquisition areas.

EXHIBITS:

120. Comparison of Ministry of Natural Resources High Priority Mineral Aggregate Resources, March 1980, with:
M.N.R./Conservation Authority owned lands - up-dated to November 22, 1979
M.N.R. Life Science Candidate Nature Reserves, 1976
M.N.R. Earth Science Candidate Nature Reserves, 1976
Selected M.N.R. High Priority Crushed Stone/Sand and Gravel Resources, 1976
Includes:
Map 2, Regional Municipality of Hamilton-Wentworth
Map 3, Regional Municipality of Halton
Map 4, Regional Municipality of Peel, County of Dufferin (Township of Mono)
Map 5 and 6, Combined County of Dufferin (Township of Mulmur)/County of Simcoe (Township of Nottawasaga), Grey County (West)
Map 7, Grey County (East)
Map 8, Bruce County (South)

121. Ontario Provincial Parks
     Planning and Management Policies, June 1978

122. Curriculum Vitae - Frederick M. Johnson

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered several alleged deficiencies in the Plan. We have attempted to answer many of the problems set out in this submission in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-143 SUBMISSION NO. 215

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission limited comments to the mineral aggregate policies in the Proposed Plan but pointed out that it entirely supports the comments of the Coalition on the Niagara Escarpment.

In regard to mineral aggregate policies the following recommendations and comments were made:

1. That pits and quarries in the Escarpment Natural Areas and Escarpment Protection Areas, be prohibited; and
2. That prior to licensing a pit or quarry in the Escarpment Rural Areas, there must be an assessment of its proposed impacts on the environment, the social effects and the effects on prime agricultural lands, along with an amendment to the Niagara Escarpment Plan; and
3. That in the event that a permit or licence is issued in the Escarpment Rural Area, after careful scrutiny of the environmental assessment, that stringent requirements for rehabilitation of the site back to its original use, and compatible with adjacent lands, along with a firm timetable for complete restoration, be made conditions of any licence; and
4. That existing extractive operations be permitted to continue for no longer than five years from date of approval of the Niagara Escarpment Plan, and that the affected lands be restored as much as possible to their former scenic value; and

5. That no further permits or licences be issued to existing pit and quarry operators to construct accessory buildings and facilities within this five-year phased-out period; and
6. That wayside pit operations either for the use of local municipalities or, more crucially, the Ministry of Transportation and Communications should be prohibited within the Escarpment Protection Areas due to the fact that this use is not prescribed in the objectives set down for this land use designation; and
7. That prior to the issuance of a permit or licence for any pit or quarry operation in the Escarpment Rural Areas, an environmental and social impact assessment be carried out by the proponent and reviewed and commented upon by the Ministry of the Environment and the Ministry of Agriculture and Food, with special attention being given to the preservation of Class 1 - 3 agricultural lands; and
8. That the definition of "aggregates" be made consistent with that defined in any new Provincial legislation, or policies affecting the planning, management and/or extraction of resources.

EXHIBIT:

123. Ministry of Natural Resources 1980 - Ontario Geological Survey (Aggregate Resources Inventory)
Erin Township, Wellington County
Selected Sand & Gravel Resource Areas: Scale: 1:50000

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-14

SUBMISSION NO. 216

COUNSEL: Burton H. Kellock, Q.C.

GROUP: Aggregate Producers Association of Ontario

SUMMARY OF SUBMISSION:

This lengthy submission on behalf of the above Association did not limit itself to the mineral resources aspects of the Proposed Plan but offered comments and recommendations on all components.

Several witnesses gave evidence on behalf of this submission as follows:

Garry M. Stamm	- The Economic Impact on the Mineral Aggregate Industry of the Proposed Plan
Jerome Haggarty, William E. Coates and Fred Gilbert.	- Environmental Review of the Proposed Plan for the Niagara Escarpment
Ian MacNaughton	- Planning

It was contended by this submission that as far as the achievement of the public goal of having access to necessary present and future supplies of aggregate at competitive prices is concerned, the provisions of the Proposed Plan are detrimental.

The following recommendations together with the suggestions in the wording of the Proposed Plan which we have not included in this summary set out the results of this submission:

1. The Niagara Escarpment Plan should include a map identifying high priority mineral resource areas.
2. The Niagara Escarpment Plan should include policy which recognizes the importance of this non-renewable resource and provides protection from uses which would preclude its planned utilization.
3. The Niagara Escarpment Plan should state that the designations are preliminary and therefore subject

to adjustment based on site specific analysis.

4. The Niagara Escarpment Plan should permit any application to be considered, its appropriateness to be determined on the basis of detailed knowledge of the site and finalization of the designated boundaries.

5. In order to place the evaluation of applications on an objective basis, scientific criteria for measuring impact should be adopted, whether zoning or development control is the method of regulation.

6. The Niagara Escarpment Plan should be implemented through restricted area by-laws. This would enable appeals to be referred to the Ontario Municipal Board without the need for change in legislation.

Exhibit 129 was filed with this submission. This is the Ministry of Natural Resources "Mineral Aggregate Policy for Official Plans" which was approved by the Cabinet on March 15, 1978. This was filed in support of the contention that areas of high aggregate resource potential must be identified for possible future extraction adequate to meet future Provincial demands.

EXHIBITS:

124. Curriculum Vitae - Garry M. Stamm

125. Curriculum Vitae - Jerome M. Hagarty

126. Curriculum Vitae - Frederick Franklin Gilbert

127. Ontario Department of Mines & Northern Affairs
The Niagara Escarpment by D.F. Hewitt
Industrial Mineral Report No. 35, 1971

128. Curriculum Vitae - Ian F. MacNaughton

129. Letter from James A.C. Auld, Minister, Ministry of Natural Resources, dated September 11, 1979 with attachment: Ministry of Natural Resources (Mineral

Resource Group)
Mineral Aggregate Policy for Official Plans
dated April 12, 1979 and approved by Dr. J.K.
Reynolds, Deputy Minister.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-6

SUBMISSION NO. 217
(Written Only)

GROUP: County of Simcoe

SUMMARY OF SUBMISSION:

This submission was only to convey support of the Township of Nottawasaga's submission.

RECOMMENDATION:

None.

REASONS:

See Submission 177 (Township of Nottawasaga).

FILE NO. G 700-8

SUBMISSION NO. 218
(Written Only)

OWNER: Gordon T. Hill

SUMMARY OF SUBMISSION:

This submission was in opposition to any reference to the Bruce Trail included in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-10

SUBMISSION NO. 219
(Written Only)

OWNER: Dave Shepherd

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-28

SUBMISSION NO. 220
(Written Only)

OWNER: Clayton McKague

SUMMARY OF SUBMISSION:

This submission is in opposition to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-32 SUBMISSION NO. 221
(Written Only)

GROUP: Local Architectural Advisory Committee
- Cookstown

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-44

SUBMISSION NO. 222
(Written Only)

OWNER: Ms. Nina B. Carlisle

SUMMARY OF SUBMISSION:

In support of the Proposed Plan with the following comments:

1. Section 2.9.2 (1) -
   One year not long enough.
2. Section 3.4 -
   Acquisition should not be limited to a five-year period.
3. Sections 4.15 and 2.8 -
   There should be no expansion of quarrying operations and existing licences should not be renewed but should be allowed to run out.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. G 700-46 SUBMISSION NO. 223
(Written Only)

GROUP: Toronto Bruce Trail Club

SUMMARY OF SUBMISSION:

This was a written submission on behalf of the above named club and contained a petition. The club indicates that the Proposed Plan contains reasonable and workable proposals with respect to the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-52

SUBMISSION NO. 224
(Written Only)

OWNER: Robert M. Pearse

SUMMARY OF SUBMISSION:

Would like to see a system of publicly owned parks along the Escarpment with public campsites.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. G 700-115

SUBMISSION NO. 225
(Written Only)

OWNER: Mr. David Wyonch

SUMMARY OF SUBMISSION:

This was a written submission by Mr. Wyonch stating his opposition to any more controls over landowners.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. G 700-137

SUBMISSION NO. 226
(Written Only)

OWNER: Mrs. Melva Peterson

SUMMARY OF SUBMISSION:

This was a written submission from Mrs. Peterson who lives in Campbell River, British Columbia, expressing her opposition to controls.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. G 700-140

SUBMISSION NO. 227
(Written Only)

OWNER: C.D. Dittrich

SUMMARY OF SUBMISSION:

Mr. Dittrich's written submission was a copy of the Toronto Bruce Trail petition in Submission 223.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

Number/
Numéro

3

Ontario

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

Report of the Hearing Officers

A.L. McCrae, Chief Hearing Officer
W.T. Shrives, Hearing Officer
M.D. Henderson, Hearing Officer

Volume Three

January 1983

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

A. L. MCCRAE, Chief Hearing Officer
W. T. SHRIVES, Hearing Officer
M. D. HENDERSON, Hearing Officer

Tobermory
Toronto
Queenston
Windsor

WALTER W. GOWING, Chief Administrator
CAROL A. BEVERIDGE, Hearing Secretary

VOLUME THREE
JANUARY 1983

TABLE OF CONTENTS

VOLUME 3 - PHASE II HEARINGS

In Phase II, only presentations dealing with issues in specific sectors (individual counties and regions) of the area covered by the Proposed Plan were heard by the Hearing Officers

Section 100:

REGIONAL MUNICIPALITY OF NIAGARA

- Index: List of Submissions 571
- General Statement by Hearing Officers 577
- Summary of Submissions, Recommendations and Reasons 579

Section 200:

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

- Index: List of Submissions 743
- General Statement by Hearing Officers 747
- Summary of Submissions, Recommendations and Reasons 749

Section 300:

REGIONAL MUNICIPALITY OF HALTON

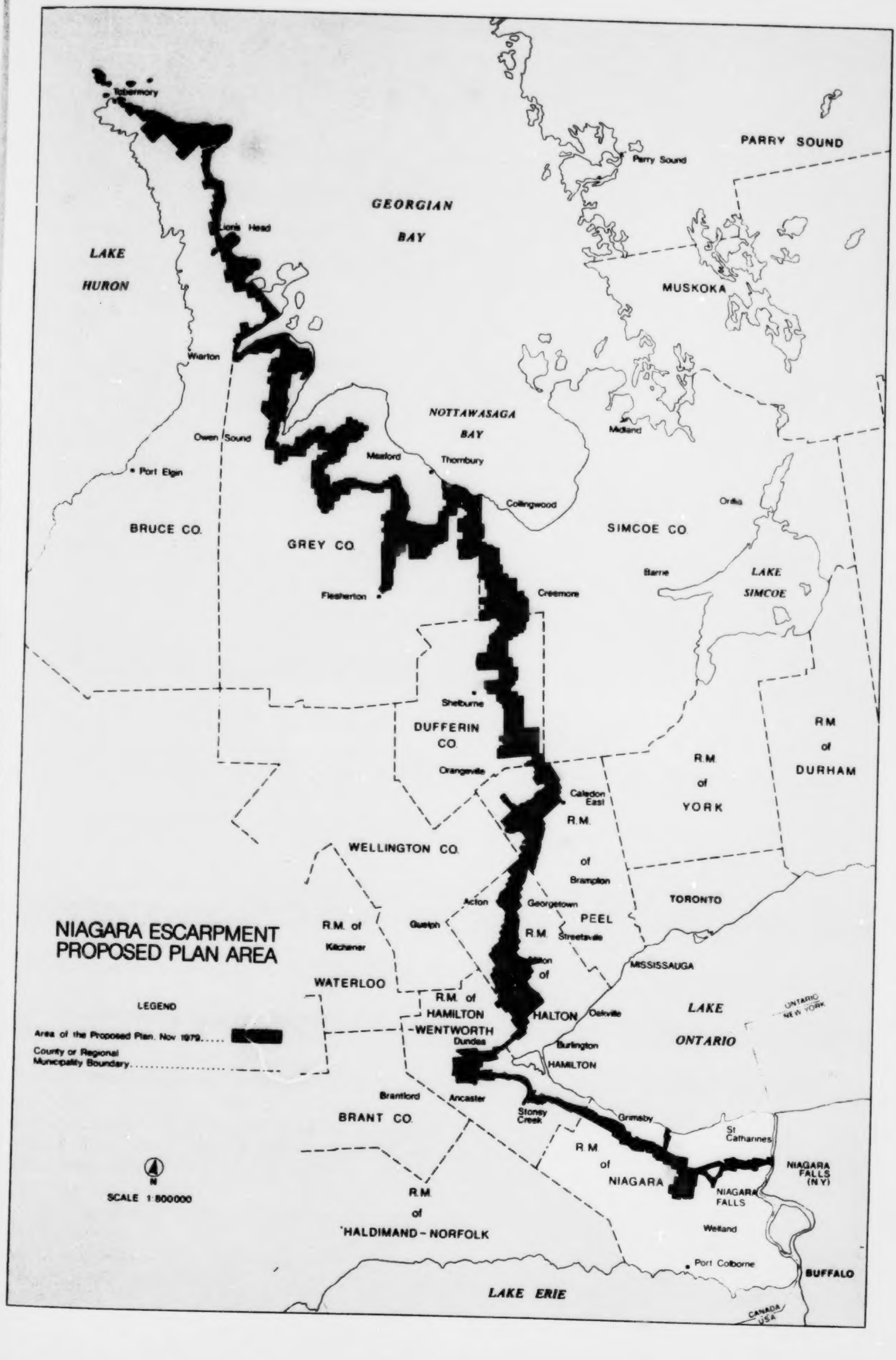
- Index: List of Submissions 833
- General Statement by Hearing Officers 839
- Summary of Submissions, Recommendations and Reasons 841

Section 400:

REGIONAL MUNICIPALITY OF PEEL

- Index: List of Submissions 983
- General Statement by Hearing Officers 985
- Summary of Submissions, Recommendations and Reasons 987

This is Volume Three of a four volume report by the Hearing Officers on the Niagara Escarpment Proposed Plan. Please refer to Volume One for a complete four volume Table of Contents.



NIAGARA ESCARPMENT PROPOSED PLAN AREA

LEGEND
Area of the Proposed Plan, Nov 1979
County or Regional Municipality Boundary
SCALE 1:800000
N
Tobermory
Lions Head
LAKE HURON
GEORGIAN BAY
Wiarton
Owen Sound
Port Elgin
BRUCE CO.
GREY CO.
Meaford
Thornbury
NOTTAWASAGA BAY
Collingwood
Flesherton
Creemore
Parry Sound
PARRY SOUND
MUSKOKA
Midland
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
Shelburne
DUFFERIN CO.
Orangeville
Caledon East
R.M. of YORK
R.M. of DURHAM
WELLINGTON CO.
R.M. of Brampton
PEEL
Acton
Georgetown
Guelph
R.M. of Kitchener WATERLOO
Streetsville
Milton
R.M. of HALTON
TORONTO
MISSISSAUGA
Oakville
LAKE ONTARIO
ONTARIO
NEW YORK
R.M. of HAMILTON-WENTWORTH
Dundas
Burlington
HAMILTON
Brantford
Ancaster
BRANT CO.
Stoney Creek
Grimsby
St Catharines
R.M. of NIAGARA
NIAGARA FALLS (N.Y.)
NIAGARA FALLS
Welland
R.M. of HALDIMAND-NORFOLK
Port Colborne
BUFFALO
LAKE ERIE
CANADA
USA

PHASE II HEARING

THE

REGIONAL MUNICIPALITY OF NIAGARA

Niagara Escarpment Proposed Plan Hearing
Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

REGIONAL MUNICIPALITY OF NIAGARA

Name	File Number	Submission Number	Page Number
Alexander, Mrs. Marie	100-61	534	646
Andreychuk, Nick	100-28	515	621
Angle, Mrs. Marion	100-92	520	628
Armbruster, Steve	100-131	561	682
Baran, Margaret and Steven	100-84	523	631
Bartsch, M.L.	100-31	563	684
Beamer, Douglas	100-13	499	604
Biggar, Robert	100-59	555	673
Bigger, Glen	100-77	527	636
Bilbe, Neil	100-122	539	654
Bissell, Charles	100-108	580	702
Blaney, Alfred	100-130	560	681

Name	File Number	Submission Number	Page Number
Bright, T. G. & Co. Limited	100-80	558	677
Brock University	100-69	535	648
Chambers, A. Barbara	100-48	514	620
Chetwynd, Peter	100-1	496	600
Coalition on the Niagara Escarpment	100-9	595	717
Costain Limited	100-24	508	613
Costello, Harold E.	100-16	502	607
Csets, Val	100-135	599	721
Daley, Dorothy	100-107	579	701
Deanfield Farms Limited	100-60	509	615
Devesne, B.	100-79	557	676
Dmytrow, Stephen	100-75	501	606
Doberstein, Albert J. Sr.	100-39	528	637
Eichmanis, Eric	100-78	526	635
Ellis, G.R. and Betty D.	100-45	503	608
Fishburn, Mrs. Helen	100-104	584	706
Foundation for Aggregate Studies	100-72	543	659
Fretz, Jim	100-36	512	618
Gauld, Rankin	100-42	547	663
Gibson, Dr. James A.	100-32	533	645
Grandoni, Miss Jean	100-74	544	660
Grandoni, Peter	100-73	559	680
Grant, Mr. and Mrs. Peter	100-110	577	699
Griffith, J.T.	100-125	525	634

Name	File Number	Submission Number	Page Number
Grimsby, Town of	100-26	491	588
Hambleton, G. Robert	100-126	562	683
Hamilton Naturalists Club	100-53	600	722
Hansler, Blair W. and Joan A.	100-43	564	686
Harmes, Mrs. Ingrid	100-101	588	710
Hill, Rowland	100-121	569	691
Howey, A.E.	100-88	601	723
Hubbard, Mrs. D.	S 100-141	657	734
Jackson, Dr. John N.	100-56	537	651
Jakymin, Stephen	100-47	545	661
Johnson, Raymond and Barbara	100-115	568	690
Johnson, Wayne	100-117	597	719
Kampco Recreation Limited	100-128	566	688
Knisley, Kenneth and Edna	S 100-139	655	732
Laughton, Mr. and Mrs. Greg	100-93	549	666
Lathrop, D.W.	S 100-138	654	731
Legros, Edward P.	100-17	505	610
Lincoln, Town of	100-52	492	592
Lookout Point Golf and Country Club and Concerned Citizens for the Fonthill Kame Moraine	100-30	542	658
MacKenzie, Mrs. Lois	100-91	522	630
MacRae, Dr. Donald C.	100-123	567	689
Main, Neil	100-96	570	692
Martin, Mrs. Madge	100-98	589	711
Martin, Dr. and Mrs. R.	100-67	538	652

Name	File Number	Submission Number	Page Number
Mathais, Dorothy	100-113	574	696
Mathais, Mrs. Mary Anne	100-114	575	697
Melnechuk, Randy	100-133	596	718
Merritt, Robert	100-41	518	625
Mitchell, Keith	100-134	571	693
Morgan, Edward W.N.	100-112	573	695
Morse, Mrs. Mary	100-124	587	709
Mouriopoulis, Nick	100-8	498	602
Myers, Lloyd N.	100-25	519	627
McKinlay, Alistair	S 100-142	677	736
New England Slate Limited	100-119	583	705
Niagara Bruce Trail Club	100-35	540	655
Niagara Falls, City of	100-55	495	598
Niagara Falls Nature Club	100-68	517	624
Niagara-on-the-Lake, Town of	100-51	494	595
Niagara Peninsula Conservation Authority	100-76	553	671
Niagara Peninsula Investments Limited	100-83	510	616
Niagara, Regional Municipality of	100-2	489	581
Niagara Region Chamber of Commerce	100-57	554	672
O'Donoghue, Mrs. J. and Wrzesnewskyj, Mrs. R.	100-44	524	632
Oliver, Lloyd	100-18	511	617
Ontario Trail Riders Association	100-49	591	713

Name	File Number	Submission Number	Page Number
Paolasini, Mr. and Mrs. A and Paolasini, Toni	100-46	546	662
Pelham, Town of	100-22	490	587
Peninsula Field Naturalists	100-87	550	667
Pennachetti, John T.	100-10	500	605
Phillips, Dr. J.H.H.	100-85	506	611
Phillips, Mrs. Jean	100-86	507	612
Pratten, F.R.	100-23	513	619
Preece, Mr. and Mrs. Norman	100-82	521	629
Preservation of Agricultural Land Society	100-71	532	642
Property Owners Rights Association	100-29	529	638
Reed, Mrs. Margaret	100-81	530	640
Reese, R. E.	100-100	598	720
Rice, Catharine B.	100-63	504	609
Rice, W.A.	100-111	572	694
Roberts, Albert E.	S 100-140	656	733
Robinson, Mrs. Anne	100-97	593	715
Roland, Mrs. Audrey	100-105	576	698
Saine, Dr. Joseph	100-21	516	622
St. Davids Sand and Gravel	100-70	541	656
St. John's Valley Community	100-95	581	703
Sametz, William and Rose	100-65	594	716
Scholn, Rolf H.	100-118	586	708
Sharpe, Mrs. Anne	100-106	578	700
Smith, Arthur	100-129	551	668

Name	File Number	Submission Number	Page Number
Smith, Mrs. Deborah	100-102	585	707
Steed and Evans Limited	100-62	603	725
Summers, Mrs. Roy	100-6	497	601
Taylor, Mrs. C.	S 100-137	670	735
TCG Materials Limited	100-7	548	664
Thompson, J.B.	100-127	565	687
Thorold, City of	100-3	493	593
Tighe, Brian	100-99	592	714
Tolmie, Shirley	100-38	536	649
Tomarin, Harry P.	100-40	531	641
Vidal, James Jr.	100-132	552	670
Walker, Mrs. Sandra J.	100-103	590	712
Walker, W. Brian	100-94	582	704
Wessel, R.A.	100-136	602	724
Zmenak, Dr. Emil	100-33	556	675

PHASE II

GENERAL STATEMENT

REGIONAL MUNICIPALITY OF NIAGARA

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the Region of Niagara for which a hearing was held at St. Catharines together with a portion of the supplementary hearing held in Burlington consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 489 to 603 inclusive, 654 to 657 inclusive, 670 and 677.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 489, 490, 491, 493, 494, 495, 518, 541, 557, 599 and 603.

PHASE II

REGIONAL MUNICIPALITY OF NIAGARA

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 100-2 SUBMISSION NO. 489

AGENT: Corwin T. Cambray, Manager, Policy Planning

GROUP: Regional Municipality of Niagara

SUMMARY OF SUBMISSION:

It can be safely said that the Region has always supported the concept of preserving the true Escarpment and closely related areas but has always had certain reservations about the overall size of the area to be included in a plan; secondly, the acceptance of urban area boundaries; and thirdly, the provision of allowing the development of existing vacant lots. Some of these problems are met with the reduction of the Planning Area but not all, and this submission covered the points which are still at issue. These are as follows:

1. In view of the fact that Jordan Harbour is not closely related to the Niagara Escarpment, it is recommended that the Jordan Harbour, Twenty Mile Creek Valley north of Middle Road (4th Avenue, Niagara Road 77) be deleted from the Proposed Plan.

2. The Lake Gibson area and part of the Lake Moodie area be deleted from the Proposed Plan. These lands do not form part of the Escarpment and it is not all publicly owned land. This recommendation does not extend to those portions which are close to De Cew Falls and the edge of the Escarpment.

3. Two areas designated as Escarpment Protection are unnecessary. One is a largely developed strip of land north of Niagara Road 81 (West Main Street) which may serve as a better boundary here. The other area is south of Regional Road 81 but not closely related to the Escarpment. It is, therefore, recommended that the Escarpment Protection Area north of Niagara Region Road 81 west of downtown Grimsby

be deleted. Also the Escarpment Protection Area south of Regional Road 81 in the west end of the Town of Grimsby be reduced by deletion from the Proposed Plan (Site 4).

4. That the Urban Centre designations in the Proposed Plan for Grimsby, St. Catharines and Thorold be deleted from the Plan.
5. That, in recognition of the approved Urban Areas boundaries, the areas identified as Sites 8, 9, 10, 11, 12 and 13 be deleted from the Proposed Plan.
6. That the Escarpment Rural Areas as identified on Exhibit 384 be deleted from the Proposed Plan subject to Recommendations 11, 12 and 13 below.
7. That the Escarpment Natural Area designation be extended to include those areas identified as Sites 14, 15, 16 and 17.
8. That the part of the Mineral Resource Area identified as Site 18 be changed to an Escarpment Natural Area to bring the designation boundary into conformity with the approved licensed area for Queenston Quarries Ltd.
9. That the Mineral Resource Area identified as Site 19 an Escarpment Protection Area south of Tice Road in the Town of Pelham, be deleted from the Proposed Plan.
10. That consideration be given to recognizing in the Proposed Plan the full extent of the licensed aggregate extraction area for Vineland Quarries Ltd. in the Town of Lincoln and Walker Brothers Quarries Limited in Niagara Falls.
11. That in those areas identified as Sites 20 to 26 inclusive where removal of the Escarpment Rural

designation would leave an Escarpment Natural designation without any abutting "buffer" designation the Escarpment Protection Area designation be extended to include part of the former Escarpment Rural Area.

12. That the areas closest to the Cave Springs Escarpment Natural Area and identified as Sites 27 and 28 be changed from Escarpment Rural Areas to Escarpment Protection Areas to provide a better buffer for this unique environmental site.
13. That minor changes from Escarpment Rural Areas to Escarpment Protection Areas be made for Sites 29, 30, 31 and 32.

Note: The site numbers referred to herein are those as shown on Exhibit 384.

EXHIBITS:

384. Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara, with additional markings by the Regional Municipality of Niagara entitled - Niagara Escarpment Plan and Proposed Changes.
385. Certified true copy of Resolution No. 13, dated May 7, 1981, The Regional Municipality of Niagara re Steed & Evans Limited.

RECOMMENDATIONS:

1. That the Plan be modified by deleting the Jordan Harbour, Twenty Mile Creek Valley north of Middle Road from the Proposed Plan.
2. That the Plan be modified by deleting the Lake Gibson Area and part of Lake Moodie be deleted

from the Proposed Plan (see maps in the Region of Niagara's submission).

3. That the Plan be modified by deleting the areas designated as Escarpment Protection to the west of the Town of Grimsby as shown on the maps attached to the Region of Niagara's submission as sites 3 and 4 on Exhibit 384.
4. None.
5. None.
6. None.
7. None.
8. We concur with this recommendation.
9. That the Plan be modified by deleting the whole area south of Tice Road as recommended by the Region but also including the adjacent Escarpment Rural Area.
10. That the Plan be modified to show the full extent of the licensed extraction areas as recommended by the Region.
11. None.
12. None.
13. None.

REASONS:

1. From the evidence adduced we are of the opinion that this area is not part of the Escarpment or lands in its vicinity. This is supported by the submission of the Region of Niagara, when they stated that this area is not closely related to the Escarpment.
2. From the evidence adduced we are of the opinion that this area is not part of the Escarpment.

3. We are of the opinion that these two areas make the buffer unnecessarily large in this area.

4. The matter of Urban Centres has been dealt with elsewhere in this report.

5. This matter is dealt with elsewhere in this report.

6. We are of the opinion that generally speaking these Escarpment Rural Areas should remain in the Proposed Plan although there may be individual sections of these Escarpment Rural Areas that have been dealt with elsewhere in this report in a different manner.

7. A recommendation elsewhere in this report covers the flexibility of boundary designations which we believe covers these concerns.

8. Niagara Escarpment Commission's staff at the hearing agreed with this recommendation of the Region.

9. The evidence adduced by the Niagara Escarpment Commission was not too supportive of this area being included in the Proposed Plan and we concur with the recommendation of the Region.

10. We believe that this is essential in view of the stated comments of the Niagara Escarpment Commission.

11. We are of the opinion that generally speaking these Escarpment Rural Areas should remain in the Proposed Plan although there may be individual sections of these Escarpment Rural Areas that have been dealt with elsewhere in this report in a different manner.

12. A recommendation elsewhere in this report covers the flexibility of boundary designations which we believe covers these concerns.

13. We are of the opinion that generally speaking these Escarpment Rural Areas should remain in the Proposed

Plan although there may be individual sections of these Escarpment Rural Areas that have been dealt with elsewhere in this report in a different manner.

FILE NO. 100-22 SUBMISSION NO. 490

AGENT: E.C. Wagg, Deputy Clerk

GROUP: Town of Pelham

SUMMARY OF SUBMISSION:

In the main, the Town of Pelham supports the position taken at these hearings by the Regional Municipality of Niagara with the exception of one area. This area is Lot 11, Concession 5, next to the Hamlet of North Pelham. This land is proposed Escarpment Rural in the Proposed Plan but the Council for the Town takes the position that this land should be deleted from the Proposed Plan. The Region on the other hand requested that the lands in question be changed from Escarpment Rural to Escarpment Protection. It is the Town's position that there is already an adequate buffer.

RECOMMENDATION:

The Proposed Plan be modified to delete the area of Lot 11, Concession 5.

REASONS:

We are of the opinion this will leave an adequate buffer. The evidence of the Niagara Escarpment Commission's staff was that the inclusion of these lands was a matter of judgement.

FILE NO. 100-26 SUBMISSION NO. 491

COUNSEL: Ronald Greenspan

GROUP: Town of Grimsby

SUMMARY OF SUBMISSION:

The Town of Grimsby could hardly be classified as a supporter of the Proposed Plan or for that matter the Niagara Escarpment Commission. It takes the position that the Escarpment face should be preserved and a buffer zone of about 30 metres be established at the brow and the toe. The concept of using Regional Road 81 as the northern boundary takes in too much developed land. There are ten areas which concern the Town and these are as follows which the Town requests to be deleted:

1. This area is bounded on the west by Stoney Creek, in the east by Woolverton Road, on the north by Regional Road 81 and on the south by the toe of the Escarpment. This area contains three developed subdivisions, motel, flea market, variety store, car dealership, transport depot, food processing plant, pre-cast concrete plant and several small commercial establishments. The northerly boundary is some 3,500 feet from the toe of the Escarpment. The proposed designation for this area is Escarpment Protection.
2. The second area is bounded on the west by Casablanca Blvd., on the east by Kerman Avenue, on the north by a line approximately 400 feet from Regional Road 81 and on the south by Regional Road 81. This area is across Regional Road 81 and extends into two developed subdivisions and single family homes.
3. Area three is bounded on the west by Kerman Avenue, on the east by the easterly back lot lines on Governor's Road, on the north by Regional Road 81, and on the south

by the toe of the Escarpment. This particular area contains the south side of the downtown core, a municipal parking lot, a shopping plaza, over 15 fully developed subdivisions, five churches, a high school, a major park and an elementary school. This particular area is designated in the Proposed Plan as Urban Centre. The Town points out that Beamsville was left out of the Plan but the core area of Grimsby was included and the Town feels very strongly that it should be excluded.

4. This area is bounded on the west by the easterly back lot lines of Governors Road, on the east by Park Road South, on the north by Regional Road 81 and the south by the toe of the Escarpment. At the present time the area contains two subdivisions and the northerly boundary is some 2000 feet from the base of the Escarpment. The Town feels that this would be a prime area for any future expansion of the Town.
5. Area five bounded on the west by Park Road, on the east by the Town of Lincoln, on the north by Regional Road 81 and on the south by the northerly fork of the Escarpment. The land in the area is presently zoned partly commercial and contains a developed subdivision, an animal hospital and single family homes.
6. This area is a plateau bounded by two Escarpment faces and in the opinion of the Town could be developed as estate residential on large lots.
7. Area seven is a small plateau on the west side of Park Road South. The area presently contains two estate residential subdivisions and the Town would either like it removed or the proposed Escarpment Protection designation changed to Escarpment Rural.
8. This area is bounded on the west by Stoney Creek, on

the east by Lincoln, on the north by the brow of the Escarpment and on the south partially by the Ridge Road West and the remainder by a line dividing Concession 3 in half. For many years the Town has viewed the lands which lie between the brow of the Escarpment and the Ridge Road as potential estate residential areas because the land is of a poor quality for agriculture. These lands are proposed as Escarpment Protection Area in the Proposed Plan.

9. Area nine is contained within Area eight but specifically relates to the area bounded by the Ridge Road on the west, on the east by the lot line between Lots 5 and 6, on the north by the brow of the Escarpment and on the south by the Ridge Road. This area was already slated for development at the time when the Niagara Escarpment Commission's controls came into effect and the owners still wish to proceed.

10. This area would allow estate residential development if the Proposed Plan is approved and it is first class farmland. Council does not agree and feels it should be restricted to poor agricultural land.

EXHIBITS:

386. Land Use map of the Town of Grimsby prepared by the Town's Planning Department.

387. A map and two pages from a staff report to the Niagara Escarpment Commission, dealing with land sites in Beamsville, Grimsby and west of the Town of Grimsby.

RECOMMENDATIONS:

For Areas 1, 2, 5, 6, 7, 8 and 9 which are proposed for

Escarpment Protection designations we recommend that these not be deleted.

For Areas 3 and 4, these areas will become Urban Centres by virtue of applying the Urban Area boundaries as approved by the Ontario Municipal Board in the Niagara Region's Official Plan and that these areas remain within the Plan.

For Area 10, none.

REASONS:

For Areas 1, 2, 5, 6, 7, 8 and 9 we are of the opinion on the basis of the evidence that these areas should remain in the Proposed Plan. Elsewhere in this report we have made recommendations concerning the possibility of additional development in the Escarpment Protection designation.

For Areas 3 and 4, the matter of Urban Centres has been dealt with elsewhere in this report.

For Area 10, proposed to be designated Escarpment Rural. As stated in Submission 489 (Regional Municipality of Niagara) we are of the opinion that generally speaking this Escarpment Rural Area should remain in the Proposed Plan although there may be individual sections that have been dealt with elsewhere in this report in a different manner.

FILE NO. 100-52 SUBMISSION NO. 492

AGENT: Michael Duc, Clerk

GROUP: Town of Lincoln

SUMMARY OF SUBMISSION:

The Town of Lincoln supports the position taken by the Regional Municipality of Niagara. In addition to that support it also made certain recommendations with respect to the Proposed Plan. One of these proposals was that the Escarpment Rural Areas of the Plan should be deleted and revert back to the control of the local municipality. It is the feeling of the Town of Lincoln that the agricultural policies of the Region are more than enough. The Town also strongly supports the deletion of Jordan Harbour and the Twenty Mile Creek areas from the Proposed Plan because of its importance to the Town. The Town also wants the boundaries to be adjusted to conform to the recent decision of the Ontario Municipal Board with respect to urban boundaries.

RECOMMENDATION:

None.

REASONS:

See Regional Municipality of Niagara's Submission (No. 489) covering points contained in this submission.

FILE NO. 100-3

SUBMISSION NO. 493

AGENT: Helen Whyte, Planning Consultant

GROUP: City of Thorold

SUMMARY OF SUBMISSION:

The brief of the City of Thorold is generally consistent with that of the Regional Municipality of Niagara but makes the following specific requests:

1. Re lands on the west side of the Welland Canal - Greenhill Drive subdivision and industrial land, south side of St. David Street between Chapel Street North and the Canal. This land is within the Region's Urban Areas as approved by the Ontario Municipal Board. It was not previously in the Niagara Escarpment Commission's development control area. It does not adjoin open Escarpment lands. The lands are developed. In the municipality's opinion these lands should be deleted from the Proposed Plan.

2. Re lands on east side of the Welland Canal - east end of Highway 58 tunnel, south of Hoover Street. These lands are presently in heavy industrial uses and associated waterways. South of Highway 58, the lands are within the Region's Urban Areas as approved by the Ontario Municipal Board. The Proposed Plan indicates these lands are "public land" (in parks system) to be designated Escarpment Rural. Though in public ownership they are clearly not used for park purposes, nor are they rural or park-like in nature. The municipality is opposed to their inclusion in the Proposed Plan.

3. Lakes Gibson and Moodie:

These lands are primarily public lands, south of Thorold's major existing urban area, and are removed from the Escarpment itself. Thorold questions the necessity or advisability of including these lands within the Proposed Plan.

RECOMMENDATIONS:

1. That the Plan be modified by deleting this area from the Proposed Plan.
2. That the Plan be modified by deleting this area from the Proposed Plan.
3. None.

REASONS:

1. In our opinion, based on the evidence, there appears to be no real reason for the inclusion of this small section of Thorold in the Proposed Plan.
2. These lands are within the Urban Areas of the Region's Official Plan as approved by the Ontario Municipal Board and the Niagara Escarpment Commission has agreed that they should be removed.
3. Dealt with under Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-51

SUBMISSION NO. 494

COUNSEL: John Crossingham

GROUP: Town of Niagara-on-the-Lake

SUMMARY OF SUBMISSION:

This submission proposes the following changes:

1. Deletion of Escarpment Rural Areas (replaced with municipal documents).
2. Woodlot south side of Queen Elizabeth Way at Sandplant Hill - Change from Escarpment Protection Area to Escarpment Natural Area.
3. Eastern Edge of Queenston Quarries - Change from Mineral Resource Area to Escarpment Natural Area.
4. Lands abutting Regional Road 81 (south) - Change from Mineral Resource Area to Escarpment Natural Area.
5. Lands north of Regional Road 81 from Concession 2 along the banks of former glacial lake - Lake Iroquois to St. Davids - Change from Escarpment Rural to Escarpment Protection.
6. Lands in St. Davids, against the Escarpment, using Tanbank Road, Regional Road 81 and Warner Road as boundaries - Change from Escarpment Rural to Escarpment Protection.
7. Lands in the community of Queenston next to the Escarpment - Change from Escarpment Rural to Escarpment Protection.

In addition to these the Town requests the inclusion in the Plan of some definite policies to prevent the creation of further waste disposal sites along the Escarpment in quarries.

EXHIBIT:

388. Niagara Escarpment Commission Proposed Plan Map 1 - Regional Municipality of Niagara, with additional markings by the Town of Niagara-on-the-Lake relating to the Town's recommendations, January 13, 1982: (1) deletions from the Proposed Plan; (2) changes in designations within Plan; (3) policy changes (additions or deletions).

RECOMMENDATIONS:

1. None.
2. That the Plan be amended to change the designation to Escarpment Natural.
3. None.
4. None.
5. None.
6. None.
7. None.

As far as the request of the Town to include some definite policies concerning the creation of further waste disposal sites we make no recommendation since we are of the opinion that the subject of waste disposal sites is adquately taken care of by other Provincial legislation.

REASONS:

1. Covered under Submission 489 (Regional Municipality of Niagara.
2. The Niagara Escarpment Commission's evidence was such that there was no objection to this recommendation and could in fact be a drafting error. This is in accordance

with the Region of Niagara's recommendation which was dealt with in Submission 489 as being part of the flexibility of boundaries, but we are of the opinion that in this case a specific recommendation should be made.

3. We were informed that the Mineral Resource designation covered licensed areas and therefore there should be no change.
4. We were informed that the Mineral Resource designation covered licensed areas and therefore there should be no change.
5. Covered in Submission 489 (Regional Municipality of Niagara).
6. Covered in Submission 489 (Regional Municipality of Niagara).
7. Covered in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-55

SUBMISSION NO. 495

AGENT: Douglas Darbyson, Senior Planner

GROUP: City of Niagara Falls

SUMMARY OF SUBMISSION:

The City of Niagara Falls expresses in the submission its support for the Proposed Plan. Its primary concern is to ensure that areas within the urban boundary as proposed by the Ontario Municipal Board be deleted from the Plan. There is agreement with the Regional Municipality of Niagara in its proposed urban land deletions. Exhibit 391 illustrates the City's recommended change in boundary marked in yellow and the Proposed Plan's boundary delineated in red. The lands marked A, B and C are recommended for deletion from the Plan in conformity with the Region's stated position. This would leave Mountain Road as the logical plan boundary in this area. (Area D cannot be dealt with as it is outside the Proposed Plan).

EXHIBITS:

389. Report to the City of Niagara Falls' Council, prepared by A. Greaves, Planning Director, and submitted by J.L. Collinson, Acting Chief Administrative Officer. File: N-4; Date: 1981.12.07; Report: PD/112/81 re Niagara Escarpment Proposed Plan Hearings.

390. Report to the Niagara Falls City Council, prepared by D. Darbyson, Senior Planner; recommended by A. Greaves, Planning Director; submitted by J.L. Collinson, Acting Chief Administrative Officer. File: N-4; Date: 1982.01.11; Report: PD/4/82 re Niagara Escarpment Proposed Plan Hearings and T.G. Bright & Co. Limited proposal.

391. A map of the City of Niagara Falls indicating the City's recommended boundary changes for the Niagara

Submission No. 495 continued

Escarpment Commission's Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of sites A, B and C.

REASONS:

Sites A and B are part of the Urban Centre boundaries in the official plan of the Region and the Niagara Escarpment Commission has agreed to this deletion.

As far as Site C is concerned we believe this is a logical deletion since Mountain Road would then form a continuous boundary in this area.

FILE NO. 100-1 SUBMISSION NO. 496

OWNER: Peter Chetwynd

LAND: Part Lot 15, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

This owner has 2.14 acres mainly on Woolverton Road designated as Escarpment Natural in the Proposed Plan. The owner purchased the land in 1950 at a time when no zoning restrictions were in effect for the purpose of eventually using the land for residential development. To date he has been unable to procure a development permit. He has not re-applied for said permit since release of the Proposed Plan. It would appear that his lands are restricted as to their utilization for building by the municipality as well. The property is on the face of the scarp and forest covered. The town's Official Plan Amendment No. 11 approved in 1971 shows the land as "hazard" and requires that any application satisfy the town's engineering concern as to slope stability. The Niagara Peninsula Conservation Authority apparently has this property entered in its long range acquisition policy.

RECOMMENDATION:

None.

REASONS:

We are satisfied on the evidence of the Niagara Escarpment Commission that the designation proposed is a proper one.

FILE NO. 100-6 SUBMISSION NO. 497

OWNER: Mrs. Roy Summers

LAND: Part Lots 52, 53, 54, 55, 56,
76, 77, 78, 79, 100, 122 and 123
City of Thorold

SUMMARY OF SUBMISSION:

The above owner spoke for her own property and that of others. Her real concern is that the properties she referred to be not included in the Proposed Plan. The Niagara Escarpment Commission controls are unnecessary and should not apply to these lands which in her opinion are some two to two and a half miles from the visible Escarpment. She is opposed to the creation of additional parkland as unsupervised parks could bring noise and animals running at large bringing the spectre of rabies and general disruption to the farming community.

EXHIBIT:

392. Air photo showing property of Mrs. Roy Summers, Part Lots 52, 53, 54, 55 and 56, City of Thorold, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

Already recommended for deletion in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-8

SUBMISSION NO. 498

OWNER: Nick Mouriopoulis

LAND: Part Lot 19, Concession 2 and 3
Town of Grimsby

SUMMARY OF SUBMISSION:

The owners purchased the above lands, some 15 acres, during 1975 with the objective of severing a number of lots to accommodate medium or large size homes on spacious lots. This intention was not capable of fulfillment due to the advent of regional government and the establishment of the Niagara Escarpment Commission with their respective restrictions.

The lot in question lies to the south of Highway 8 and to the west of the extension of Hunter Road. It is a portion of a much larger parcel isolated between the curve of Highway 8 and the base of the Escarpment and has a depth ranging from one half to one mile between the Escarpment and the highway. What was once an intense farming area now contains little more than hobby farm operations. The lands in the vicinity of the subject land have been developed to a great extent by residential and commercial uses along Highway 8.

The Proposed Plan shows the subject land designated as Escarpment Natural and Escarpment Protection Areas which do not permit the intensive use intended by the owner. It is felt that the two designations should be limited in extent and should not extend beyond one or two hundred yards from the base of the scarp in their entirety. It would however be preferable if the lands were removed from the Niagara Escarpment Commission's control and placed under local and regional jurisdiction. The owners request that one of the following alternatives be recommended by the hearing officers:

1. Change the designation of a major portion of the property from Escarpment Protection Area to Escarpment Rural Area. This designation would

permit, and I quote from Section 2.4 of the Proposed Plan "new lots may be created by low density rural plans of subdivision or condominium and other compatible forms of lot ownership".

2. Change the designation of a major portion of the property to Urban Centre Group One which designation is already applied to significant portions of the Town of Grimsby.
3. Remove a major portion of the lands in question from the jurisdiction of the Niagara Escarpment Commission and restore to municipal or regional control.
4. If no change from the proposed land use is to be considered then the Escarpment Commission should be required to purchase the vacant lands within this area from the present owners - at the owner's option.

EXHIBIT:

393. Air photo showing property of Nick Mouriopoulis, Part Lot 19, Concession 2 and 3, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

A portion of these lands have been recommended for removal in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-13 SUBMISSION NO. 499

OWNER: Douglas Beamer

LAND: Part Lot 10, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

This oral submission was in support of the Proposed Plan as it affects the Town of Pelham.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-10

SUBMISSION NO. 500

OWNER: John T. Pennachetti

LAND:
190 Woodside Drive
St. Catharines, Ontario
Part Lots 11 and 12, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This was an oral submission concerning these two properties and expressed no real objection or support to or for the Proposed Plan and in effect suggested that the owner was receptive to enter into negotiations to sell or trade some of the subject lands to a public authority.

EXHIBIT:

394. Map of subject property owned by John T. Pennachetti in the City of St. Catharines, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 100-75

SUBMISSION NO. 501

OWNER: Stephen Dmytrow

LAND: Part Lot 12, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This was an oral submission concerning the above property which consists of approximately 30 acres containing a residence and proposed for the Escarpment Natural designation under the Proposed Plan with about half of the property recommended to be acquired by a public authority. This owner stated that he would perhaps be willing to sell some portion of the subject property.

EXHIBIT:

395. Air photo showing property owned by Stephen Dmytrow, Lot 12, Concession 5, Beamsville, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 100-16

SUBMISSION NO. 502

OWNER: Harold E. Costello

LAND: Part Lot 14, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

This oral submission covers property consisting of two parcels separated by Regional Road 81. The parcel south of the road of approximately 3.6 acres is proposed to be designated Escarpment Natural and the one acre parcel north of the road Escarpment Protection. There was no indication of objection to the proposed designations but appeared to be a request to develop the southerly parcel into four lots.

EXHIBIT:

396. Air photo showing property of Harold E. Costello, Part Lot 14, Concession 2, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

The area recommended for an Escarpment Protection designation in the Proposed Plan has been recommended for deletion in Submission 489 (Regional Municipality of Niagara) and as far as the portion designated Escarpment Natural is concerned, we are of the opinion this should remain in the Proposed Plan.

FILE NO. 100-45

SUBMISSION NO. 503

OWNER: G.R. and Betty D. Ellis

LAND: Part Lot 18, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This oral submission expressed no objection to the proposed designations for this property but was primarily concerned as to the proper boundary between the Escarpment Natural and Escarpment Protection designations.

EXHIBIT:

397. Surveyor's map and description of property owned by Mr. and Mrs. G.R. Ellis, Part of Lot 18, Concession 5, formerly Township of Louth, County of Lincoln, now Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-63

SUBMISSION NO. 504

OWNER: Catherine B. Rice

LAND: 417 Tice Road
R.R. 1
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan. While the subject property is proposed to be designated Escarpment Rural, the owner agrees with the change to Escarpment Protection as recommended by the Town of Pelham.

RECOMMENDATION:

None.

REASONS:

Refer to reasons in Submission 603 (Steed and Evans Limited) which deals with all the lands south of Metler Road.

FILE NO. 100-17 SUBMISSION NO. 505

OWNER: Edward P. Legros

LAND: Part Lot 95
Town of Niagara-on-the-Lake

SUMMARY OF SUBMISSION:

The subject property is proposed to be designated Escarpment Rural and the request is that it be deleted from the Proposed Plan since it is flat open land with a fair amount of development in the area. Mr. Legros agrees with the submission by the Regional Municipality of Niagara that this area be deleted from the Proposed Plan.

EXHIBIT:

398. Air photo showing property of Edward P. Legros, Part Lot 95, former Township of Niagara, Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands should remain as designated within the Proposed Plan.

FILE NO. 100-85

SUBMISSION NO. 506

OWNER: Dr. J.H.H. Phillips

LAND: Part Lot 22, Broken Front
Town of Lincoln

SUMMARY OF SUBMISSION:

This submission requested that no recommendation for deletion of lands from the Proposed Plan be made by the hearing officers.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-86

SUBMISSION NO. 507

OWNER: Mrs. Jean Phillips

LAND: Lot 22, Broken Front
Town of Lincoln

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan as far as the area of Jordan Harbour and Twenty Mile Creek is concerned.

RECOMMENDATION:

None.

REASONS:

This matter was dealt with in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-24

SUBMISSION NO. 508

COUNSEL: J.D. Winberg

OWNER: Costain Limited

LAND: Part Lots 3 and 5
Town of Grimsby

SUMMARY OF SUBMISSION:

The subject property comprises some 100 acres of which approximately 70 acres are tableland with the balance of the lands being either wooded slope or face of the Escarpment. In the decision of the Ontario Municipal Board on the Region of Niagara Official Plan these lands have been approved as being within the Urban Area for the Town of Grimsby as "Deferred Urban".

The Niagara Escarpment Commission has agreed that these lands and others approved by the Ontario Municipal Board as being within the Urban Area be designated Urban Centre in the Proposed Plan.

EXHIBIT:

399. Topographic map showing subject properties of Costain Limited, Deanfield Farms Limited (Submission 509), and Niagara Peninsula Investments Limited (Submission 510), all in the Town of Grimsby, Regional Municipality of Niagara, prepared by John Bousfield Associates Limited, Consulting Town Planners, Toronto, Ontario.

RECOMMENDATION:

None.

REASONS:

The portion of this property designated Escarpment Natural should remain Escarpment Natural and the balance will be designated

Urban Centre by virtue of the Niagara Escarpment Commission's decision to accept the urban boundaries as approved by the Ontario Municipal Board in the Regional Municipality of Niagara's Official Plan.

FILE NO. 100-60

SUBMISSION NO. 509

COUNSEL: George Yates

OWNER: Deanfield Farms Limited

LAND: Lot 4, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

The Proposed Plan designates these lands Escarpment Protection but by the Ontario Municipal Board decision on the Niagara Region Official Plan these lands are included in the Urban Areas.

The Niagara Escarpment Commission has agreed that these lands and others approved by the Ontario Municipal Board as being within the Urban Areas be designated Urban Centre in the Proposed Plan.

EXHIBIT:

400. Plan showing lands owned by Deanfield Farms Limited, Part of Lot 4, Concession 2, former Township of North Grimsby, now Town of Grimsby, Regional Municipality of Niagara prepared by Kerry T. Howe, Ontario Land Surveyor, St. Catharines, Ontario.

RECOMMENDATION:

None.

REASONS:

The portion of this property designated Escarpment Natural should remain Escarpment Natural and the balance will be designated Urban Centre by virtue of the Niagara Escarpment Commission's decision to accept the urban boundaries as approved by the Ontario Municipal Board in the Region of Niagara's Official Plan.

FILE NO. 100-83 SUBMISSION NO. 510

AGENT: J. Herbert Rutten, Secretary-Treasurer

OWNER: Niagara Peninsula Investments Limited

LAND: Part Lot 4, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

These lands are located between the lands covered by Submissions 508 (Costain Limited) and 509 (Deanfield Farms Limited) and is in agreement with the recommended change to Urban Centre.

RECOMMENDATION:

None.

REASONS:

The portion of this property designated Escarpment Natural should remain Escarpment Natural and the balance will be designated Urban Centre by virtue of the Niagara Escarpment Commission's decision to accept the urban boundaries as approved by the Ontario Municipal Board in the Region of Niagara's Official Plan.

FILE NO. 100-18

SUBMISSION NO. 511

OWNER: Lloyd J. Oliver

LAND: General

SUMMARY OF SUBMISSION:

This submission was in general agreement with the Proposed Plan.

EXHIBIT:

401. Bruce Trail sign made of metal, similar to signs posted along the Bruce Trail from Queenston to Tobermory by the Bruce Trail Club.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-36 SUBMISSION NO. 512

OWNER: Jim Fretz

LAND: Jordan Creek Harbour Area

SUMMARY OF SUBMISSION:

This submission was in support of the Regional Municipality of Niagara and the Town of Lincoln that the area extending from the Fourth Avenue Road line north to Lake Ontario be deleted from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This area has been recommended for deletion in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-23

SUBMISSION NO. 513

AGENT: Mrs. Marie Pratten

OWNER: Mr. Frank R. Pratten

LAND: Part Lot 12, Concession 6 and 7
Town of Pelham

SUMMARY OF SUBMISSION:

While the Prattens' property lies just outside the boundary of the Proposed Plan in the Short Hills Area of the Town of Pelham, it is the opinion of the Prattens that the Short Hills Area is not part of the Niagara Escarpment and should be removed from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates opposition to the Proposed Plan as it affects the Short Hills Area of Pelham, and is partly dealt with in Submission 603 (Steed and Evans Limited).

FILE NO. 100-48

SUBMISSION NO. 514

OWNER: A. Barbara Chambers

LAND: Part Lot 863, C.P. 6
St. Catharines

SUMMARY OF SUBMISSION:

This oral submission was not really opposed to the Proposed Plan but Mrs. Chambers would like someone to purchase her property.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 100-28

SUBMISSION NO. 515

OWNER: Nick Andreychuk

LANDS:
(a) Part Lot 23, Concession 3
Town of Lincoln
(b) Part Lot 6, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

Land in (a) above is proposed to be designated Escarpment Natural to which this submission registered no objection but requested that the subject lands be shown as lands for acquisition.

Land in (b) above comprises some 27 acres designated mostly Escarpment Protection with a small portion of about one half acre designated Escarpment Natural. This submission requested that the subject lands be given the designation of a "specific estate residential subdivision within the Escarpment Protection Area".

EXHIBIT:

402. Air photo showing property of Nick Andreychuk, Part Lot 6, Concession 2, Town of Grimsby, former Township of North Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

Part (a) - This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

Part (b) - This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-21 SUBMISSION NO. 516

OWNER: Dr. Joseph Saine

LAND: Part Lots A and B
East Gore
Town of Grimsby

SUMMARY OF SUBMISSION:

This property is proposed to be designated Escarpment Natural and Escarpment Protection. This submission was generally to the effect that the subject lands are not good farming lands and in fact are all good subdivision lands, hence the request is that these lands be designated in such a way that development would be permitted.

EXHIBITS:

403. Two communications with attached air photo sent to Dr. Joseph Saine from the Ministry of Natural Resources: one dated February 24, 1976; one dated January 12, 1982.

404. Preliminary sketch #1, plan of subdivision, Town of Grimsby, property of Dr. Joseph Saine, prepared by Harry Weber, professional planner, dated December 9, 1975.

405. Topographic map of area including Dr. Joseph Saine's property in the Town of Grimsby. Northway Survey Corporation Limited, Toronto, Canada. Scale: 200 feet = 1 inch.

406. Letter of authorization, dated January 12, 1982 giving Dr. Joseph Saine the authority to represent the following: W. Klish, W. Bezchlibnyk, M. Barabash and E. Janishewskyj.

407. Authorization given to Dr. Joseph Saine to represent

Firestone Management Ltd., Joseph H. Firestone re The Niagara Escarpment Proposed Plan Hearing. C.N.C.P. Telecommunications, January 19, 1982.

408. Letter of authorization dated January 18, 1982 giving Dr. Joseph Saine the authority to represent Edwin J. Gadsby re The Niagara Escarpment Proposed Plan Hearing.

409. Air photo showing property of Dr. Joseph Saine, Part Lot A and B, East Gore, Town of Grimsby, Regional Municipality of Niagara, as defined by the Niagara Escarpment Commission. January 26, 1982.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-68

SUBMISSION NO. 517

AGENT: Charles Pryer, President

GROUP: Niagara Falls Nature Club

SUMMARY OF SUBMISSION:

This submission by the above club was in support of the Proposed Plan and referred to the Niagara Parks Commission as being a useful model for the Niagara Escarpment Commission to follow.

In addition and as part of this submission Katherine McKeever of the Owl Rehabilitation Research Foundation submitted that the Jordan Marsh area must be protected and prefers the Proposed Plan to other plans affecting the area.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report. The Jordan Marsh area has been recommended for deletion in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-41

SUBMISSION NO. 518

OWNER: Robert Merritt

LAND: Part Lot 10, Concession 2 and 3
Town of Grimsby

SUMMARY OF SUBMISSION:

The portion of lands in Concession 2 are proposed to be designated Escarpment Natural and Escarpment Protection while the lands in Concession 3 are proposed to be designated Escarpment Rural.

The northern parcel is surrounded on three sides by the Conservation Authority. Mr. Merritt doesn't want the Bruce Trail on his property and recommended that the Niagara Escarpment Commission drop support of the Bruce Trail.

Mr. Merritt stated that his viable farm operation should be removed from the Proposed Plan except where designated Escarpment Natural provided he can have some input into the boundaries.

EXHIBITS:

410. Air photo showing property of Robert Merritt, Town of Grimsby, Regional Municipality of Niagara.

411. Air photo showing properties of Robert Merritt, (1) Part Lot 10, Concession 2, Town of Grimsby (former Township of North Grimsby), Regional Municipality of Niagara; (2) Part 10, Concession 3, Town of Grimsby (former Township of North Grimsby), Regional Municipality of Niagara.

RECOMMENDATION:

That all the rural designated lands in the Town of Grimsby and in the Town of Lincoln immediately adjacent to the eastern boundary of the Town of Grimsby be deleted from the Proposed Plan.

REASONS:

On the basis of the evidence heard we are of the opinion that the Escarpment Protection designation provides an adequate buffer in this area.

Although this recommendation deals with more area than the subject lands it is concurred with by the Region in Submission 489.

FILE NO. 100-25

SUBMISSION NO. 519

OWNER: Lloyd N. Myers

LAND: Part Lot 21, Concession 3
Town of Lincoln

SUMMARY OF SUBMISSION:

The subject property is proposed to be designated Escarpment Natural. Mr. Myers was really seeking information and when advised by the Niagara Escarpment Commission's staff of how the Proposed Plan affects his property, stated he "will live with the Plan".

EXHIBIT:

412. Air photo showing property of Lloyd N. Meyers, Part Lot 21, Concession 3, Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

Owner satisfied with explanation given by the Niagara Escarpment Commission's staff regarding his property.

FILE NO. 100-92

SUBMISSION NO. 520

OWNER: Mrs. Marion Angle

LAND: Part Lot 6, Concession 5
Town of Pelham

SUMMARY OF SUBMISSION:

This submission by a lifelong resident of the Short Hills and Kame Area wants her property to remain under development control as it is in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-82

SUBMISSION NO. 521

COUNSEL: R.B. Warren

OWNER: Mr. and Mrs. Norman Preece

LAND: Lot 3, Concession 2 and 3
Town of Grimsby

SUMMARY OF SUBMISSION:

The property above referred to is part of a plateau located half way between the top and bottom of the Escarpment. These lands are designated Escarpment Natural and the owners are in full support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-91 SUBMISSION NO. 522

OWNER: Mrs. Louis MacKenzie

LAND: Part Lot 6, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

The owner submits that her property is designated Escarpment Natural and wishes it to remain so. She also attempted to make recommendations regarding the designation on a neighbour's property but it was explained that we could not consider such if the neighbour was not present.

This submission fully supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See Reasons under Submission 603 (Steed and Evans Limited).

FILE NO. 100-84

SUBMISSION NO. 523

OWNER: Margaret and Steven Baran

LAND: Part Lot 17 and 18, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This property comprises some 29 acres and is owned by three parties. It is designated Escarpment Protection in its entirety. The owners request that eight acres of the lands fronting on Regional Road 81 (Mountain Street) be redesignated to Escarpment Rural so that three lots may be created from this designation.

EXHIBIT:

413. Air photo showing property of Margaret and Steven Baran, Part Lots 17 and 18, Concession 5 (former Township of Clinton), Town of Clinton, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-44 SUBMISSION NO. 524

COUNSEL:	Roger Elliott
OWNER:	Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj
LAND:	Part Lot A East Gore Town of Grimsby

SUMMARY OF SUBMISSION:

The subject lands located on Regional Road 81 constitute some 8.669 acres and are designated as Escarpment Protection. It is requested that these lands be redesignated to an Urban Centre designation or in the alternative be deleted from the Proposed Plan. Michael J. Bacon, a qualified land use planner, appeared in support of the submission and gave as his opinion that this property was not necessary in order to achieve the objectives of the Proposed Plan, which incidentally he agreed with. The lands are not part of the scarp landform and any buildings of three or four floors would not block the view of the "soaring" scarp some half a mile away. In his opinion the development of land between Highway 81 and the bluff would in no way detract from the scenery.

EXHIBITS:

414. Curriculum Vitae - Michael John Bacon, M.C.I.P.

415. Air Photo of area from Lake Ontario south to main scarp of the Niagara Escarpment, Town of Grimsby, Regional Municipality of Niagara, showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj.

416. Base map of area from Lake Ontario south to main scarp of the Niagara Escarpment, Town of Grimsby, Regional Municipality of Niagara, showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj.

417. Government of Canada, cut away portion of topographic map 1:50000 for the area including Long Branch, Dundas and Grimsby, along Lake Ontario. Additional markings showing Lake Iroquois Bluff and the Niagara Escarpment.

418. Plan of survey showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj, Town of Grimsby, Regional Municipality of Niagara. John F. Mantle, Ontario Land Surveyor, 1976, Kerry T. Howe (Niagara) Limited.

419. Map showing existing and proposed municipal watermain and sanitary sewer services, scale: 1 inch = 200 feet, November 1979, part of Town of Grimsby, Regional Municipality of Niagara. Source: W.L. Sears and Associates Limited.

420. Air photo showing property of Mrs. J. O'Donoghue and Mrs. R. Wrzesnewskyj, Part Lot A, East Gore, Town of Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-125

SUBMISSION NO. 525

OWNER: J.T. Griffith

SUMMARY OF SUBMISSION:

This owner is in full support of the Proposed Plan and also expresses his desire to co-operate with the Bruce Trail in passage over his lands.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-78

SUBMISSION NO. 526

OWNER: Eric Eichmanis

LAND: Part Lot 4, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

These lands above referred to are some two acres purchased by the owner in 1972 with the intention of building thereon. The Escarpment Natural designation applies to the property, and the owner states that he has experienced difficulties in procuring the necessary authority to build due to hazard conditions of the land. Though not opposed to the Proposed Plan, he has lost confidence in the Niagara Escarpment Commission due to delay in getting the Plan before the public and feels that implementation should be by other than the Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan. These matters are dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-77

SUBMISSION NO. 527

OWNER: Glen Bigger

LAND: Part Lot 15 and 16, Concession 5 and 6
Town of Lincoln

SUMMARY OF SUBMISSION:

These lands, some 85 acres, are designated for the greater part to Escarpment Protection with a small portion Escarpment Natural. The owner has experienced difficulty in procuring two severances due to Niagara Escarpment Commission intervention and wants more control of his own land. If solutions cannot be found to his problems he wants his lands deleted from the Proposed Plan.

EXHIBIT:

421. Air photo showing property of Glen Bigger, Part Lots 15 and 16, Concession 5 and 6 (former Township of Louth), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in our recommendations, comments and reasons in the general section of this report. We are also of the opinion that the subject lands should remain within the Proposed Plan.

FILE NO. 100-39

SUBMISSION NO. 528

OWNER: Albert J. Doberstein, Sr.

LAND: Lot 188, Plan M2
Town of Lincoln

SUMMARY OF SUBMISSION:

The above named owner appeared on behalf of himself, wife and two sons. They jointly own 12.65 acres of land located on a three lane portion of Victoria Avenue with land provision already made for a widening of Victoria Avenue to four lanes. The owners' concern is really to ascertain what designation is imposed on his frontage land as he seems quite satisfied with the Escarpment Protection designation on the rear lands.

RECOMMENDATION:

None.

REASONS:

Niagara Escarpment Commission's witness, Mr. Tom Smart, informed the hearing that the entire frontage to a depth of 200 feet was not included in the Proposed Plan.

FILE NO. 100-29

SUBMISSION NO. 529

AGENTS: Robert Merritt, Director and
James Vidal Jr., President

GROUP: Property Owners Rights Association

SUMMARY OF SUBMISSION:

The submission of this Association was presented by two of its representatives. Briefly stated it makes the following points:

1. It has 300 property owners in the Regional Municipality of Niagara plus a few members elsewhere.
2. Opposition to the Bruce Trail and the impact its users have on agricultural operations. Cites instances of vandalism attributed to the Trail use. Undue emphasis on environmental and recreational parts of the Proposed Plan and not enough on economic and social factors.
3. Wants Niagara Escarpment Commission scrapped and authority for the Escarpment Natural Areas be given to the municipalities. The Bruce Trail Association revert back to the handshake basis for its trail agreements.
4. Control area in the Regional Municipality of Niagara should be limited to the scarp face and working farms should be exempt from controls.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in our recommendations, comments

and reasons in the general section of this report.

FILE NO. 100-81 SUBMISSION NO. 530

OWNER: Mrs. Margaret Reed

SUMMARY OF SUBMISSION:

This submission is really in support of the Plan's objectives but expresses a concern that in the Cave Springs area acreages originally proposed for Escarpment Natural have been diminished in size due to development allowed.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-40 SUBMISSION NO. 531

OWNER: Harry P. Tomarin

LAND: Part Lot 9 and 10, Concession 22 and 23
Town of Lincoln

SUMMARY OF SUBMISSION:

This applicant has 150 acres of land immediately west of De Cew Falls and feels that the Niagara Escarpment Commission is doing a fantastic job, however, he would like to have some estate development. It is proposed to designate the lands as an Escarpment Natural Area because the property consists of the brow, face and base of the Escarpment. The Niagara Escarpment Commission's staff indicate that the Tomarin property is a scenic and dominant part of the Escarpment.

Both the Regional Plan and the St. Catharines Official Plan designated the subject lands as an Environmentally Sensitive Area and would not permit any development.

EXHIBIT:

422. Air photo showing property of Harry Tomarin, City of St. Catharines, Regional Municipality of Niagara.

423. Survey of property owned by Harry Tomarin, City of St. Catharines, Regional Municipality of Niagara, 1982.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence these lands are properly designated.

FILE NO. 100-71

SUBMISSION NO. 532

AGENT: John Bacher, Vice Chairman

GROUP: Preservation of Agricultural Land Society

SUMMARY OF SUBMISSION:

This Society feels that the most vital function of the Niagara Escarpment lies with its contribution to the preservation of all the vital and inter-related parts of the natural environment of the Niagara Escarpment. In their opinion foremost and among these are the agricultural lands.

The following aforementioned concerns of the Society are summarized as follows:

1. We feel that in the Niagara Region the Escarpment plays a central and vital role in a life sustaining scheme of the whole Niagara Plan area.
2. The Niagara farmlands are an area of Regional and Provincial concern and should be a part of the Escarpment Plan concern.
3. We support the double layer of protection afforded by Section 2.10.1 that the Escarpment Plan will effect, but are most concerned that to fulfill our mandate to protect Niagara foodlands that we must have the right to appeal as proposed in Section 4.1.7 of the Niagara Escarpment Plan.
4. If this right of appeal is not forthcoming then we would support the Regional proposal that rural lands (which are mainly tender fruit and grape) be withdrawn from the Planning Area and placed under the Planning Area and jurisdiction of the Regional Municipality of Niagara.
5. We feel since there have already been too many cutbacks

in the Planning Area that the restrictive measures to protect the Escarpment lands should be adhered to most strictly by the implementing body.

6. We would ask that the Niagara Escarpment regulatory body apply the Regional Policy's Plan for very retrictive policies for tender fruit and grapeland in all the rural areas and that they add a new section to the Proposed Plan which would state:

   Within the Niagara Region the policies governing rural consents shall be those of section 6.A.6 of the Regional Policy Plan.

   - thus defusing the confusion that surrounds the description of those lands and making it clear that they are to be treated as fruit and grape lands.

7. The Preservation of Agricultural Land Society would oppose any developments in the Escarpment Plan area which would serve to extend or negate the urban boundaries of the Niagara Region as decided by the Ontario Muncipal Board decision of February, 1981.

8. Keeping in mind the fragile balance of nature in the area and its interdependency as well as our support of the Ecological basis of planning and principles of sustainable agriculture, we would ask that there be particularly strict application of the regulations regarding woodlots and water courses and that there be a prohibition of channelization and landfilling of water courses with the Escarpment Plan Body being the sole regulatory body.

9. We ask that the restrictions governing aggregate extraction in the control area be extended to the rural area where

most of the tender fruit and grapeland lie.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan. These matters are dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-32

SUBMISSION NO. 533

OWNER: Dr. James A. Gibson

LAND: Part Lots 19 and 20, Concession 2
Town of Lincoln

SUMMARY OF SUBMISSION:

Dr. Gibson's property is located in the Jordan Harbour area and he feels that it should remain Escarpment Natural as shown in the Proposed Plan. He strongly objects to the position taken by the Regional Government in requesting this portion be removed from the Proposed Plan. He does not want the peace and quiet which he now enjoys disturbed and more particularly objects to power boats.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in Submission 489 (Regional Municipality of Niagara) wherein we recommend that this whole area be deleted from the Proposed Plan for reasons set out in the Region of Niagara's submission.

FILE NO. 100-61 SUBMISSION NO. 534

COUNSEL: M. Paul Forestall, Q.C.

OWNER: Mrs. Marie Alexander

LAND: Part Lot 3, Concession 3
Town of Pelham

SUMMARY OF SUBMISSION:

This submission covered a matter which in itself is a rather unfortunate set of circumstances. There are two separate parcels of land involved which at one time were in separate ownership but due to pressure from the bank the ownership merged to cover some financing requirements. It then became an effort on the part of the owner to separate these parcels which finally ended in the owner receiving permission to sever the land in a decision delivered by the Ontario Municipal Board. Trouble was encountered again, however, upon application for the development permit and the Niagara Escarpment Commission refused the permit. This was appealed and a decision of the hearing officers to refuse the permit was upheld by the Minister. This now leaves the owner in a position of having a lot but no permit to construct a building on it. This land is located in the Short Hills area and it appears that a good deal of the area has been developed with estate type residences. It was Mr. Forestall's position that the whole of the Short Hills be excluded from the Plan but more particularly the subject property.

EXHIBIT:

424. Air photo showing property of Marie Alexander, Part Lot 3, Concession 3 (former Township of Louth), Town of Pelham, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this property is properly designated and properly included in the Proposed Plan.

FILE NO. 100-69 SUBMISSION NO. 535

COUNSEL: Robert Wilson

GROUP: Brock University

SUMMARY OF SUBMISSION:

Terry Varcoe, Vice-president of Brock University, gave some historical information about the land holdings of the University. The Province has requested the University to look at its land holdings with the view of perhaps decreasing the size. The school is mainly interested in clarification and definition of its boundaries.

Robert O'Dell, a qualified planner, dealt with certain numbered parcels of land and pointed out his difficulty in trying to establish the boundary lines of some of the designations. These lands were also changed as a result of the decision on the urban boundaries.

EXHIBITS:

425. Map - Brock University Properties Study - A Proposal. Miller O'Dell & Paul, Urban and Rural Planning Consultants Inc., St. Catharines, Ontario. September 12, 1981.

426. Curriculum Vitae - Robert Charles O'Dell

427. Profile plan re Lockhart Drive to Brock University Tower, St. Catharines, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-38 SUBMISSION NO. 536

COUNSEL: Donald R. Tolmie

OWNER: Mrs. Shirley Tolmie

LAND: Lot 1, Concession 5
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Tolmie appeared on behalf of his wife who owns a five acre parcel of land on Hansler Road in the Short Hills area. He pointed out the great difficulty faced by persons who make severance applications whose lands are located in the proposed Escarpment Protection Areas. He contends that there should be more flexibility in allowing estate residential development and pointed out the Regional Plan "affords some degree of flexibility for development similar to mine". Mr. Tolmie is definitely opposed to the severance policies found in Section 2.3 of the Proposed Plan and feels that such a policy does not apply to the Niagara area where there are very few large holdings.

EXHIBITS:

428. Preliminary Plan of property owned by Mrs. Donald R. Tolmie, Part of Lot 1, Concession 5 (former Township of Pelham), Town of Pelham, Regional Municipality of Niagara. C.J. Clarke, Niagara Limited, Ontario Land Surveyors, April 10, 1980.

429. Two coloured photographs showing property of Mrs. Donald R. Tolmie and surrounding lands.

430. Air photo showing property of Mrs. Donald R. Tolmie, Part Lot 1, Concession 4 and 5, Town of Pelham, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 1C0-56

SUBMISSION NO. 537

OWNER: Dr. John N. Jackson

SUMMARY OF SUBMISSION:

Dr. Jackson, who is a resident of the City of St. Catharines, appeared and presented a brief to the hearing which strongly supports the need of a strong, effective and inspiring landscape plan for the Niagara Escarpment. Dr. Jackson indicated that he does not own any land in the Proposed Plan but as a professor at Brock University has had a strong and abiding interest in the Escarpment and is on the Executive of the Bruce Trail Association. He does not agree with the recommendations of the Regional Municipality of Niagara to delete the Lake Erie - Lake Moodie - Welland Canal corridor. He also resists the request of the Region to delete the Jordan Harbour area. Another area of disagreement is allowing the implementation of the Proposed Plan to fall into the hands of the Regional Government.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-67

SUBMISSION NO. 538

AGENT: Glen E. Barr, Planner

OWNER: Dr. and Mrs. R. Martin

LAND: Part Lot 139
Town of Niagara-on-the-Lake

SUMMARY OF SUBMISSION:

In this submission the owners sought an exemption from the Proposed Plan or to have their property proposed in the Plan for Escarpment Natural and Escarpment Protection changed to Escarpment Rural. The property consists of ten acres more or less and Dr. Martin wishes to sever two lots of three and one half acres from the eastern side. The applicants are in the process of restoring an old home which is some 145 years old and are in the position where they require the capital from these sales to complete the restoration.

EXHIBITS:

431. Air photo showing large area of land surrounding the property of Dr. and Mrs. R. Martin, Part Lot 139, Niagara-on-the-Lake, Regional Municipality of Niagara.

432. Map showing property of Dr. and Mrs. R. Martin, Part Lot 139, Niagara-on-the-Lake, Regional Municipality of Niagara.

433. Air photo showing property of Dr. and Mrs. R. Martin, Part Lot 139, Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion this property is properly designated.

FILE NO. 100-122 SUBMISSION NO. 539

OWNER: Neil Bilbe

LAND: Part Lot 4, Concession 8
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Bilbe supported the Proposed Plan and was very impressed with the amount of land set aside for public use. He contended that the Proposed Plan must be retained in its entirety.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-35 SUBMISSION NO. 540

AGENT: Oscar R. Gaube, Treasurer

GROUP: Niagara Bruce Trail Club

SUMMARY OF SUBMISSION:

The Club supports the development of the Bruce Trail in a permanent form securing it wherever possible by purchase. They also recommend the trail be continuous and thus prevent the damaging effects of over used short trail sections. The remaining portion of the brief dealt with such matters as maintenance agreements, liabilities, etc. In all the Club support the Proposed Plan for the Niagara Escarpment.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-70

SUBMISSION NO. 541

COUNSEL: D.M. Macfarlane

OWNER: St. Davids Sand and Gravel Limited

LAND: Part Lots 16, 17, 24 and 25
City of Niagara Falls

SUMMARY OF SUBMISSION:

The subject property has been virtually mined out as an extractive area and is proposed to be designated Mineral Resource Area. It is the intention of the owners to rehabilitate the subject lands and to develop them either as a commercial or residential development. This submission requests that the subject lands be removed from the Proposed Plan.

EXHIBITS:

434. Curriculum Vitae - Robert Charles O'Dell

435. Air photo of subject site, property of St. Davids Sand and Gravel Limited, in the City of Niagara Falls, Regional Municipality of Niagara. Flown 1979. Scale: 1 inch = 100 feet.

436. Land use map with planning legend and overlay, illustrating subject site, property of St. Davids Sand and Gravel Limited, in the City of Niagara Falls, Regional Municipality of Niagara.

437. Curriculum Vitae - I.P. Martini

438. Paleozoic map of Niagara Falls area including property owned by St. Davids Sand and Gravel Limited.

439. Air photo showing property of St. Davids Sand and Gravel Limited, Part Lots 16, 17, 24 and 25 (former Township of Stamford), City of Niagara Falls, Regional Municipality of Niagara.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject lands.

REASONS:

On the basis of the evidence adduced we are of the opinion that the deletion of these lands will not interfere with the objectives of the Proposed Plan.

FILE NO. 100-30 SUBMISSION NO. 542

AGENTS: James Withrow and George Weldon

OWNER: Lookout Point Golf and Country Club Limited and Concerned Citizens for the Fonthill Kame Moraine

---

SUMMARY OF SUBMISSION:

The submission of these two organizations was in support of the Proposed Plan.

EXHIBITS:

440. Map showing the location of property owners in the Town of Pelham, Regional Municipality of Niagara, giving authorization to Mr. George Weldon to represent them at the Niagara Escarpment Proposed Plan Hearing in St. Catharines, Ontario.

441. Authorization by certain residents of the Pelham area of the Regional Municipality of Niagara for George Weldon to represent them at the Proposed Plan Hearing in St. Catharines, Ontario.

RECOMMENDATION:

None.

REASONS:

See Reason Section under Submission 603 (Steed and Evans Limited).

FILE NO. 100-72 SUBMISSION NO. 543

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission supports the Proposed Plan insofar as it applies to the Niagara Region.

EXHIBIT:

442. Ontario Geological Survey Aggregate Resources Inventory Paper 4: Aggregate Resources Inventory of the Town of Pelham, Regional Municipality of Niagara, Southern Ontario. Ministry of Natural Resources, 1980.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-74

SUBMISSION NO. 544

OWNER: Miss Jean Grandoni

LAND: Part Lots 99, 104 and 117
City of Niagara Falls

SUMMARY OF SUBMISSION:

This brief sets out the opinion that the Proposed Plan maps invite development by their very omission of the word agriculture and Miss Grandoni feels that the Proposed Plan should place more emphasis on agriculture particularly in the area of the Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-47

SUBMISSION NO. 545

OWNER: Stephen Jakymin

LAND: Part Lots 18 and 19, Concession 3 and 4
Town of Lincoln

SUMMARY OF SUBMISSION:

Mr. Jakymin operates a 35 acre fruit farm which is proposed to be designated Escarpment Protection. He requested that he be given freedom to operate his farm without the Niagara Escarpment Commission approval or his property be removed from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-46 SUBMISSION NO. 546

OWNER: Mr. and Mrs. Paolasini and Toni Paolasini

LAND: Part Lot 22, Concession 3
Town of Grimsby

SUMMARY OF SUBMISSION:

The subject lands comprise 18 acres and are proposed to be designated Escarpment Protection. The owners are concerned that rural plans of subdivision are not a permitted use in the Escarpment Protection designation but are permitted in the Escarpment Rural designation.

EXHIBIT:

443. Air photo showing property of Mr. and Mrs. A. Paolasini, Part Lot 22, Concession 3 (former Township of North Grimsby), Town of Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-42

SUBMISSION NO. 547

OWNER: Rankin Gauld

LAND: Part Lots 8, 9, 12 and 13
City of Niagara Falls

SUMMARY OF SUBMISSION:

The subject property consists of approximately 160 acres and is proposed to be designated Escarpment Natural, Escarpment Protection, and Escarpment Rural. While the owner has no immediate problems, the uses are too limited and therefore the owner wants the subject lands removed from the Proposed Plan.

EXHIBIT:

444. Air photo showing property of Rankin Gauld, Part Lots 8, 9, 12 and 13, City of Niagara Falls, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

We are of the opinion this property has been properly designated and should remain in the Proposed Plan.

FILE NO. 100-7 SUBMISSION NO. 548

COUNSEL: Burton Kellock and A.M. Heisey

OWNER: TCG Materials Limited

LAND: Part Lot 6
Part of Closed Road Allowance Between Lots 6 and 7
Town of Pelham

SUMMARY OF SUBMISSION:

This submission requested that the Proposed Plan be modified by deleting this property for the following main reasons:

1. The property is above and does not form part of the Escarpment or Escarpment related geological features.
2. The property is a very small part of the Fonthill Kame Delta of which only one quarter falls within the Proposed Plan.
3. The Kame was rejected as a possible Earth Science Nature Reserve by the Ministry of Natural Resources.
4. The Niagara Escarpment Commission itself recommended deletion of lands to the south, east and west of the subject property because the Fonthill Kame was considered remote from the Escarpment and rated a low priority as a visual landscape area.
5. The property drains to the Fifteen Mile Creek and Welland River basins. It does not form part of the Twelve Mile Creek drainage basin. The proposed use of the property will have no adverse effects on local wells or springs.
6. The property is not part of the Escarpment landscape unit. It does not provide a view of the Escarpment nor can it be seen from the Escarpment.

EXHIBIT:

445. Air photo showing property of TCG Materials Limited, Town of Pelham, Regional Municipality of Niagara with added information and legend.

RECOMMENDATION:

None.

REASONS:

See Submission 489 (Regional Municipality of Niagara) wherein the subject lands were recommended for deletion.

FILE NO. 100-93 SUBMISSION NO. 549

OWNER: Mr. and Mrs. Greg Laughton

SUMMARY OF SUBMISSION:

This oral submission by these residents of Fonthill was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-87 SUBMISSION NO. 550

AGENT: J.D. Nasmith, President

GROUP: Peninsula Field Naturalists

SUMMARY OF SUBMISSION:

This group, in its submission, set out its strong support for the Proposed Plan as it applies to the Niagara Region.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-129 SUBMISSION NO. 551

OWNER: Arthur Smith

LAND: Lot 12 and Part Lot 11, Concession 6
Town of Lincoln

SUMMARY OF SUBMISSION:

This submission is regarding 175 acres of land located south of the Cave Springs area in the Town of Lincoln and covered under three designations: Escarpment Natural, Escarpment Protection and Escarpment Rural with all the Escarpment Natural Area being shown for acquisition. The owner's main concern is the regulations over the portions of the land that are not Escarpment itself. He is at a loss to understand why the Proposed Plan should extend to land half a mile from the visible scarp. The regulations of the Proposed Plan are detrimental to agriculture and he cited specific sections dealing with farm buildings and their replacement with which exception is taken. He is opposed to any plans to create a park at Cave Springs and points to dangers to the public arising from the use of his farm chemicals if his produce is sampled by any persons visiting the Park. Urbanization encroachment should be prevented.

It is proposed that all land not directly involved by the Escarpment be dropped from control of the Niagara Escarpment Commission. Any parks to be acquired should be for fair value and fenced.

EXHIBIT:

446. Air photo showing property of Arthur Smith, Lot 12 and Part Lot 11, Concession 6 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands are properly designated in the Proposed Plan.

FILE NO. 100-132

SUBMISSION NO. 552

OWNER: James Vidal Jr.

LAND: Part Lot 12, Concession 4 and 5
Part Lot 12, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This owner has four properties referred to as Part 1, 2, 3 and 4. What he really wants is to have properties 1, 2 and 3, shown on Exhibit 447, removed from the Proposed Plan. These lands are all in the Escarpment Protection designation. It would appear that what this owner desires is to be free of Niagara Escarpment Commission regulations and under local administration where he is willing to take his chances re procuring of land severances and wood harvesting or planting operations as he deems proper.

EXHIBIT:

447. Air photo showing property of James Vidal Jr., Part Lot 12, Concession 4 and 5 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that these lands are properly designated in the Proposed Plan and should remain in the Plan.

FILE NO. 100-76 SUBMISSION NO. 553

AGENT: Miss Gayle Hall, Supervisor of Planning

GROUP: Niagara Peninsula Conservation Authority

SUMMARY OF SUBMISSION:

This submission stated that the Authority is in general support of the Proposed Plan but set out several recommendations concerning their land holdings and leased properties. At the hearing the Niagara Escarpment Commission agreed with all these recommendations. One recommendation dealt with private lands on Lot 183 and 184, Town of Niagara-on-the-Lake and Part Gore Lot 12, City of Niagara Falls, that the woodlots be designated as Escarpment Natural.

RECOMMENDATION:

None.

REASONS:

The matter of private lands has been dealt with in our recommendations, comments and reasons in the general section of this report. As far as the other recommendations referred to above, we are of the opinion that these can be dealt with satisfactorily by the Niagara Escarpment Commission.

FILE NO. 100-57

SUBMISSION NO. 554

AGENT: Keith Milne, Secretary

GROUP: Niagara Region Chamber of Commerce

SUMMARY OF SUBMISSION:

The brief submitted by the Chamber of Commerce was most critical of the Niagara Escarpment Commission's efforts to date and makes the following recommendations:

1. That lands within areas of control to be recommended in your final report be severely limited.
2. That provincial authorities compensate existing landowners for devalued properties within those boundaries.
3. That if your final recommendations regarding lands outside the Niagara Peninsula may delay the overall report, that you finalize and present your report on the Niagara Peninsula land sooner and immediately thereafter relinquish control here.
4. That your report be finalized and presented in the very near future and without any additional delays.
5. That controls be returned to municipalities immediately following which the Niagara Escarpment Commission ceases to exist.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 100-59 SUBMISSION NO. 555

COUNSEL: D.M. Hummell

OWNER: Robert Biggar

LAND: Part Lot 2, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

The submission deals with 24.5 acres of land designated in the Proposed Plan as Escarpment Natural and Escarpment Protection. They were purchased in 1955 for a part-time farm operation to supplement the owner's income. This continued until 1965 when it became uneconomical to continue. The lands are now fallow with most of the grapevines dead. The owner wants a rural designation for the property which has a 600 foot frontage on Moyer Road. While the property commands a good view even to Toronto, it is wooded on three sides and any building permitted would be completely hidden. It is alleged that the subject property has a low priority for agriculture and that its development for residential use would not concern the responsible Ministry. To support this contention a letter, Exhibit 452, was entered from the Food Land Development Branch of the Ministry of Agriculture and Food.

EXHIBITS:

448. Key plan of survey M-2, including property of Robert Biggar, Part Lot 2, Concession 5, Township of Clinton, County of Lincoln. 1963.

449. Sketch of proposed rural residential subdivision, property of Robert Biggar, Part of Lot 2, Concession 5, Town of Lincoln, Regional Municipality of Niagara, 1974.

450. Air photo, Ministry of Transportation and Communications, an area of the Town of Lincoln

including escarpment area and property of Robert Biggar, west of Regional Road 24.

451. Air photo showing marked property of Robert Biggar, Moyer Road, Town of Lincoln, Regional Municipality of Niagara.

452. Letter, dated March 9, 1979, addressed to Mr. Bob Biggar from Harold J. Flaming, Field Officer, Rural Planning, Food Land Development Branch, Ministry of Agriculture and Food.

453. Air photo showing visable rock face both west and south of Robert Biggar property, Moyer Road, Town of Lincoln.

454. Air photo showing property of Robert Biggar, Part Lot 2, Concession 5 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands are properly designated in the Proposed Plan. If our recommendations allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 100-33

SUBMISSION NO. 556

OWNER: Dr. Emil Zmenak

LAND: Part Lot 11, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

The owner outlined his problem in procuring development permits for his land. His concern re the timing of acquisition of his property now appears to be reaching the stage of resolution where definite action will be taken by the pertinent Conservation Authority to acquire his land.

RECOMMENDATION:

None.

REASONS:

The owner made no request with respect to the Proposed Plan.

FILE NO. 100-79

SUBMISSION NO. 557

AGENT: G.E. Barr, Planning Consultant

OWNER: B. Devesne

LAND: Part Lot 835, Corporation Plan No. 6
City of St. Catharines

SUMMARY OF SUBMISSION:

This submission deals with 3.6 acres of land shown in the Proposed Plan as an area of Direct Provincial Interest. The owner seeks to have the overlay designation of the Provincial Interest removed from these lands leaving them in the Urban Centre Outer Area designation.

RECOMMENDATION:

That the Proposed Plan be modified by designating this property as Urban Centre.

REASONS:

The Niagara Escarpment Commission's staff at the hearing were in agreement with the above and so testified.

FILE NO. 100-80

SUBMISSION NO. 558

COUNSEL: J.J. Broderick, Q.C.

OWNER: T.G. Bright & Co. Limited

LAND: Part Lot 6, 7, 13, 14, 27 and 28
City of Niagara Falls

SUMMARY OF SUBMISSION:

This submission deals with lands in the ownership of the above named company shown on Exhibit 455 and designated Escarpment Natural, Escarpment Protection and Escarpment Rural in the Niagara Escarpment Proposed Plan. All of the above are not being requested for change.

The Company requests that changes be made as shown on Exhibit 456 and specifically as follows:

Parcel A
This parcel contains 126 acres designated as Escarpment Rural in the Proposed Plan and the Company requests that all but the 17.76 acres designated in "brown" on Exhibit 456 be exempt from the Proposed Plan and that the residual be changed from Escarpment Rural to Escarpment Protection.

Parcel C
Some 119 acres shown as Escarpment Rural in the Proposed Plan be deleted from the Plan.

Parcel E
Some 3.5 acres shown as Escarpment Rural in the Proposed Plan be deleted.

No changes are sought for the other lands shown on Exhibit 455.

It is contended that there are no scarp features on any of the lands for which change is requested sufficient to merit their inclusion in the Proposed Plan; nor are they required for buffering.

Evidence in support of the request was given by a qualified consulting engineer and his testimony and exhibits demonstrate the flatness of the land.

EXHIBITS:

455. Map 1, showing property of T.G. Bright & Co. Limited City of Niagara Falls, Regional Municipality of Niagara, showing designations under the Proposed Plan of the Niagara Escarpment Commission.

456. Map 2, showing property of T.G. Bright & Co. Limited City of Niagara Falls, Regional Municipality of Niagara, showing requested changes made by T.G. Bright & Co. Ltd., requesting a portion of "A". and all of "C" and all of "E: be deleted from the Proposed Plan.

457. T.G. Bright & Co. Limited, pictorial presentation of lands north of Mountain Road, west of the Queen Elizabeth Highway, City of Niagara Falls including three maps. Photographs taken by Allen R. Goar, December, 1981.

458. City of Niagara Falls, Planning and Development Committee report: PD/7/82 dated January 20, 1982 re T.G. Bright & Co. Limited proposal. Certified true and correct, Deputy Clerk, February 22, 1982.

459. City of Niagara Falls, Minutes of Council, January 25, 1982 re T.G. Bright & Co. Limited proposal. Certified true and correct, Deputy Clerk, February 22, 1982.

460. Council resolution 2-82, The Regional Municipality of Niagara, February 4, 1982 re T.G. Bright & Co. Limited lands. Certified true and correct, Clerk.

461. Air photo showing property of T.G. Bright & Co. Limited

Part Lots 6, 7, 13, 14, 27 and 28 (former Township of Stamford), City of Niagara Falls; and Part Lot 136, Town of Niagara-on-the-Lake, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

While there is qualified support from the City and the Regional Municipality of Niagara for the request from T.G. Bright & Co. Limited the evidence adduced does not convince us to make any recommendations to modify the Proposed Plan.

FILE NO. 100-73 SUBMISSION NO. 559

OWNER: Peter Grandoni

SUMMARY OF SUBMISSION:

This submission voices the concerns of the above named with regard to many aspects of the Proposed Plan. Many of the points raised were not supported by the kind of evidence necessary to permit us to adjudicate upon their merits in determining any changes from the proposals put before us by the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 100-130 SUBMISSION NO. 560

OWNER: Alfred Blaney

LAND: Part Lot 21, Concession 4
Town of Lincoln

SUMMARY OF SUBMISSION:

This submission voices strong opposition to the Niagara Escarpment Commission. The owner of the above lands designated Escarpment Natural and Escarpment Protection has in the past received a negative response in his application for a retirement lot. He purchased his property in 1964 with a long term goal to build a home on a lot to be severed. It is requested that these lands, some 31 acres, be removed from the Proposed Plan.

EXHIBIT:

462. Air photo showing property of Alfred Blaney, Part Lot 21, Concession 4, Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated.

FILE NO. 100-131

SUBMISSION NO. 561

AGENT: Alfred Blaney

OWNER: Steve Armbruster

LAND: Lot 20, Concession 4
Town of Lincoln

SUMMARY OF SUBMISSION:

Mr. Armbruster simply indicated he wanted his land removed from the Proposed Plan because the rules laid down by the Niagara Escarpment Commission are too restrictive.

EXHIBIT:

463. Air photo showing property of Steve Armbruster, Part Lot 20, Concession 4, Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated.

FILE NO. 100-126

SUBMISSION NO. 562

OWNER: G. Robert Hambleton

LAND: Part Lot 2, Concession 6
Town of Lincoln

SUMMARY OF SUBMISSION:

This applicant owns a parcel of land approximately one and a half acres in size in the Vineland area which the Proposed Plan designates as Escarpment Protection. He says that he has attempted to sell the lot many times but is unable to because he is not able to get a development permit. He states that he was not opposed to the Niagara Escarpment Commission but is opposed to the Bruce Trail. He does not understand why he cannot build on the land because it is wasteland and in any event wants to be taken out.

EXHIBIT:

464. Air photo showing property of G. Robert Hambleton, Part Lot 2, Concession 6, Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated.

FILE NO. 100-31

SUBMISSION NO. 563

COUNSEL: R.F. Miller

OWNER: Mrs. M.L. Bartsch

LAND: Part Lot 15, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

Marie Louise Bartsch has her property designated Escarpment Protection in the Proposed Plan and would like the entire property removed or changed to Escarpment Rural. She indicated to the hearing that she purchased the land in 1972 with the purpose of developing estate lots.

Robert James Miller, a planning consultant, was called to give evidence and he gave in detail the land use regulations locally as well as a history of the property. It is his opinion that the subject land fits the criteria of Escarpment Rural Area better than that proposed.

A professional agrologist, J.M. Hagarty, was also called who reviewed the soil classes on the subject property and concluded that there are few sites which are as uniquely separated as this one and have such little good agricultural land.

EXHIBITS:

465. Site plan showing property of Mrs. M.L. Bartsch, Town of Lincoln, with three overlays showing generalized land use, official plans and the Niagara Escarpment Commission Plan.

466. Curriculum Vitae - Robert James Miller

467. Curriculum Vitae - Jerome M. Hagarty

468. Air photo showing property of Mrs. M.L. Bartsch, Town of Lincoln.

469. Air photo showing property of Mrs. M.L. Bartsch, Part Lot 15, Concession 5 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated. If our recommendation allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 100-43 SUBMISSION NO. 564

OWNERS: Blair W. Hansler and John A. Hansler

LAND: Part Lot 3, Concession 5
Town of Pelham

SUMMARY OF SUBMISSION:

The brief which was presented by Mr. Hansler covers six different lots, although Ontario Hydro owns 2.5 acres in the form of a 100 foot wide allowance running across the property. The property is proposed as an Escarpment Protection Area in the Proposed Plan. One important aspect of this submission was that it will be necessary for the owners to obtain permanent access to a northern lot. The owner would either like to have some exemption to be able to proceed with their development plans or be removed from the Proposed Plan. They also contend that their property is not in the vicinity of the Escarpment.

EXHIBIT:

470. Air photo showing property of Blair Hansler,
Part Lot 3, Concession 5, Town of Pelham,
Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report. If our recommendation allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 100-127 SUBMISSION NO. 565

OWNER: J.B. Thompson

LAND: Part Lot 7, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

Mr. Thompson has owned this property for many years and has always anticipated using the revenue from subdividing the lots for his retirement. He wants his lands removed from the Proposed Plan. The lands are proposed to be designated Escarpment Natural and Escarpment Protection.

EXHIBIT:

471. Air photo showing property of James B. Thompson, Part Lot 7, Concession 5 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated. If our recommendation allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 100-128 SUBMISSION NO. 566

AGENT: James D. Williams, President

OWNER: Kampco Recreation Limited

LAND: Part Lots 17 and 18, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

James D. Williams indicated that the farm is presently being used to grow Christmas trees and it has always been the intention of the company to use the land for residential development in the future. It is his wish that the entire property be deleted from the Proposed Plan. The lands are proposed to be designated Escarpment Protection.

EXHIBIT:

472. Air photo showing property of Kampco Recreation Limited, Part Lot 17 and 18, Concession 5 (former Township of Clinton), Town of Lincoln, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that this land is properly included in the Proposed Plan and properly designated. If our recommendation allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 100-123 SUBMISSION NO. 567

OWNER: Dr. Donald C. MacRae

LAND: Part Lot 6, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

The brief submitted in this case completely supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See Reasons under Submission 603 (Steed and Evans Ltd.).

FILE NO. 100-115 SUBMISSION NO. 568

OWNER: Raymond and Barbara Johnson

LAND: Part Lot 5 and 6, Concession 7
Town of Pelham

SUMMARY OF SUBMISSION:

The Johnsons are the owners of a motel known as Hepwell's Motel and presented a brief which supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This property was recommended to be deleted under Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-121 SUBMISSION NO. 569

OWNER: Rowland Hill

SUMMARY OF SUBMISSION:

Mr. Hill who is not involved in the Proposed Plan read a brief in support.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-96

SUBMISSION NO. 570

OWNER: Neil Main

LAND: 1617 Effingham Street
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Main who is a member of the Kame Group read a brief completely supporting the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This property was recommended to be deleted under Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-134 SUBMISSION NO. 571

OWNER: Keith Mitchell

LAND: 229 Tice Road
Part Lot 4, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Mitchell supports the Proposed Plan and lives in the Kame Area. He distrusts the Regional Municipality of Niagara and the Town of Pelham.

RECOMMENDATION:

None.

REASONS:

See Reasons under Submission 603 (Steed and Evans Ltd.).

FILE NO. 100-111 SUBMISSION NO. 572

OWNER: W.A. Rice

LAND: Part Lot 8, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Rice who is a member of the Kame Group read a brief in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See Reasons under Submission 603 (Steed and Evans Ltd.).

FILE NO. 100-112 SUBMISSION NO. 573

OWNER: Edward W.N. Morgan

LAND: Part Lot 6, Concession 9

SUMMARY OF SUBMISSION:

Mr. Morgan who lives about two miles from the Kame Area spoke in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-113

SUBMISSION NO. 574

OWNER: Mrs. Dorothy Mathias

LAND: 1907 Effingham Road
Town of Pelham

SUMMARY OF SUBMISSION:

Mrs. Mathias stated she likes a Board which has no local input and supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-114

SUBMISSION NO. 575

OWNER: Mrs. Mary Anne Mathias

LAND: Lot 5, Concession 5
Town of Pelham

SUMMARY OF SUBMISSION:

Mrs. Mathias stated that she is interested in the Short Hills and Kame Areas and as a farmer she is concerned that the wells in the area may be disturbed.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-105 SUBMISSION NO. 576

OWNER: Mrs. Audrey Roland

LAND: Part Lot 6, Concession 4
Town of Pelham

SUMMARY OF SUBMISSION:

Mrs. Roland has a lot which consists of some 2.5 acres and wishes the Escarpment Protection designation to remain.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. 100-110

SUBMISSION NO. 577

OWNER: Mr. and Mrs. Peter Grant

LAND: Part Lots 8 and 9, Concession 10
Town of Pelham

SUMMARY OF SUBMISSION:

This applicant has a five acre parcel of land in the Kame Area and because of his interest in nature says it should never be defaced. He described himself as a custodian of the land and that it should be protected from commercialism. He fears turning control over to local councils who will permit anything.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-106 SUBMISSION NO. 578

OWNER: Mrs. Anne Sharpe

SUMMARY OF SUBMISSION:

Mrs. Sharpe, who is a resident of Fonthill, spoke in support of the Kame Area being protected by the Proposed Plan. She spoke of the possibility of the destruction of the Lookout Point Golf Course if the Kame was ever disturbed.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-107 SUBMISSION NO. 579

OWNER: Mrs. Dorothy Daley -

LAND: 26 Daleview Cresent
Fonthill, Ontario

SUMMARY OF SUBMISSION:

Mrs. Daley indicated that although she lives within the built up area of the Town, she was only a five minute walk from the rolling hills of the Kame. She supports the continuing protection of the Proposed Plan and the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-108

SUBMISSION NO. 580

OWNER: Charles Bissell

LAND: Lot 4, Concession 5
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Bissell owns 100 acres of land and on 80 acres he operates a campground. While the remaining 20 acres are fruitland, Mr. Bissell strongly supports the Proposed Plan because to disturb the area may result in the loss of recreational facilities which his campground enjoys. He is also concerned about disturbing the water supply and feels his clients may seek other natural areas outside the Province if this area were changed in any way.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-95 SUBMISSION NO. 581

AGENT: Arthur B. Scott

GROUP: St. John's Valley Community

LAND: Various

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and was strongly opposed to removal of any part of the Fonthill Kame from the jurisdiction of the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-94

SUBMISSION NO. 582

OWNER: W. Brian Walker

LAND: 57 Canboro Road West
Fonthill, Ontario

SUMMARY OF SUBMISSION:

This oral presentation was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-119

SUBMISSION NO. 583

AGENT: David Rodriguez

OWNER: New England Slate Limited

LAND: Part Lot 5, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

This submission was in support of the Escarpment Protection designation proposed for the subject property.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. 100-104

SUBMISSION NO. 584

OWNER: Mrs. Helen Fishburn

LAND: 1621 Lookout Street
R.R. 1
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This submission was in support of the Escarpment Natural designation proposed for the subject property and was also in favour of more control for the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

See Reasons under Submission 603 (Steed & Evans Ltd.).

FILE NO. 100-102

SUBMISSION NO. 585

OWNER: Mrs. Deborah Smith

LAND: On Sulphur Springs Road
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This submission was in support of keeping the Fonthill Kame Area in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-118

SUBMISSION NO. 586

OWNER: Rolf H. Scholn

LAND: 1950 Effingham Road
R.R. 1
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This brief was in support of the Proposed Plan and in particular the retention of the Fonthill Kame Area in the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-124

SUBMISSION NO. 587

OWNER: Mrs. Mary Morse

LAND: 1509 Effingham Road
R.R. 3
Fenwick, Ontario

SUMMARY OF SUBMISSION:

This brief was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

The subject property has been recommended for removal from the Proposed Plan in Submission 489 (Regional Municipality of Niagara).

FILE NO. 100-101 SUBMISSION NO. 588

OWNER: Mrs. Ingrid Harmes

LAND: 411 Kilman Road
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-98 SUBMISSION NO. 589

OWNER: Mrs. Madge Martin

LAND: 2233 Effingham Road
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This brief was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-103 SUBMISSION NO. 590

OWNER: Mrs. Sandra J. Walker

LAND: 2226 Effingham Street
R.R. 1
Ridgeville, Ontario

SUMMARY OF SUBMISSION:

This brief was in support of the Escarpment Protection designation proposed for the subject property and was in support of the Proposed Plan except that Mrs. Walker felt that there should be less restrictions on land severances for full-time farming families in the Escarpment Protection Areas.

RECOMMENDATION:

None.

REASONS:

Agricultural land severances are dealt with elsewhere in this report.

FILE NO. 100-49 SUBMISSION NO. 591

AGENT: Mrs. Stephanie Kindt

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

This submission was made by the President of the Niagara Trail Riders Association and pointed out the benefits derived from riding. She feels that the horse people should have equal access to the trails and that full consideration should be given to this in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 100-99

SUBMISSION NO. 592

OWNER: Brian Tighe

LAND: 2505 Orchard Hill Road
Pelham, Ontario

SUMMARY OF SUBMISSION:

Mr. Tighe has a lot of about two acres and wishes to remain under the control of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. 100-97

SUBMISSION NO. 593

OWNER: Mrs. Anne Robinson

LAND: 1180 Haist Street
Fonthill, Ontario

SUMMARY OF SUBMISSION:

Anne Robinson who lives in Fonthill loves the rural atmosphere and parklike surroundings. She spoke of the stewardship of the land and particularly the Kame Area and feels the Proposed Plan will afford the protection it needs.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-65 SUBMISSION NO. 594

OWNER: William and Rose Sametz

LAND: Part Lot 1, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

The applicant in this case owns about 57 acres of land which are situated south of Regional Road 81 and these lands abut the Escarpment. He purchased the land with the intention of developing it. The subject property is proposed as Escarpment Natural and Escarpment Protection in the Proposed Plan. He would like to develop a unique retirement community and stated that all services are available. It appears that such a use would be classified as an institutional use.

EXHIBIT:

473. Air photo showing property of William and Rose Sametz, Part Lot 1, Concession 2, Town of Grimsby, Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands have been properly designated in the Proposed Plan. In our recommendations, comments and reasons in the general section of this report we have recommended that some provisions for permitting more development in Escarpment Protection Areas be included in the Proposed Plan by allowing new lots to be created by low density plans of subdivision.

FILE NO. 100-9 SUBMISSION NO. 595

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

In this submission the Coalition on the Niagara Escarpment took five major issues in which they are interested and developed each. These are as follows:

1. Jordan Harbour, Marsh and Twenty Mile Creek.
2. Lake Moodie - Lake Gibson Area.
3. Recommended deletions by the Regional Government.
4. Bruce Trail in the Regional Municipality of Niagara.
5. Short Hills and Kame Area.

During this brief, the Coalition on the Niagara Escarpment again emphasized the necessity of not allowing any deletions which would interfere with the continuous aspect of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

All of the points raised in this submission have been dealt with elsewhere in this report.

FILE NO. 100-133

SUBMISSION NO. 596

OWNER: Randy Melnechuk

LAND: Part Lot 23, Concession 6
Town of Lincoln

SUMMARY OF SUBMISSION:

Mr. Melnechuk owns and operates a horse farm and riding school on about 54 acres of land on Regional Road 24. While he strongly supports the concept of the Proposed Plan and its goals he feels that his property should be designated Escarpment Rural rather than Escarpment Protection. It is his opinion that the operation could expand more easily.

Mr. Logan, a qualified planner, and Mr. Hagarty, an agrologist, were both called to support the contention that a change to a "Rural" designation was appropriate.

EXHIBIT:

474. Air photo showing property of Randy Melnechuk,
Part Lot 23, Concession 6, Town of Lincoln,
Regional Municipality of Niagara.

RECOMMENDATION:

None.

REASONS:

The evidence does not convince us that the subject property has been improperly designated.

FILE NO. 100-117

SUBMISSION NO. 597

OWNER: Wayne Johnson

LAND: Part Lot 6, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

Mr. Johnson owns a former schoolhouse and has approximately 1.21 acres. He uses the property for a residence and a pre-school operation. In this connection he has had three development permits.

He completely supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-100

SUBMISSION NO. 598

OWNER: R.E. Reese

LAND: 1599 Pelham Street
Fonthill, Ontario

SUMMARY OF SUBMISSION:

Mr. Reese lives in the Village of Fonthill and supports the Proposed Plan because it ensures that the area will receive a much larger degree of continued protection.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-135

SUBMISSION NO. 599

OWNER: Val Csets

LAND: Part Lot 15, Concession 4
Town of Lincoln

SUMMARY OF SUBMISSION:

Mr. Csets has a 16.5 acre site which is located just outside the urban boundary of Beamsville. He would like to construct a single family home but may have some difficulty because the land has no frontage on a public road. This submission requested removal of the subject property from the Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by deletion of the subject property.

REASONS:

The deletion of this property will not interfere with the objectives of the Proposed Plan.

FILE NO. 100-53

SUBMISSION NO. 600
(Written Only)

GROUP: Hamilton Naturalists' Club

SUMMARY OF SUBMISSION:

This was a written submission by the above named club which supported the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-88

SUBMISSION NO. 601
(Written Only)

OWNER: A.E. Howey

SUMMARY OF SUBMISSION:

This written submission is opposed to any change in the Proposed Plan and in strong support of the "Short Hills" and the "Kame" being left within the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-136

SUBMISSION NO. 602
(Written Only)

OWNER: R.A. Wessel

LAND: 2260 Effingham Road
Town of Pelham

SUMMARY OF SUBMISSION:

This written submission was in support of the Proposed Plan as long as it is reviewed every ten to fifteen years.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 100-62 SUBMISSION NO. 603

COUNSEL: M. Paul Forestell, Q.C.

OWNER: Steed and Evans Ltd.

LAND: Part Lot 4 and 5, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

The subject lands comprise some 125 acres and are proposed to be designated Escarpment Natural and Escarpment Protection in the Proposed Plan and are a part of a geological feature known as the Fonthill Kame Delta. This submission requested that the subject lands be removed from the Niagara Escarpment Proposed Plan for the following main reasons:

1. The property is above and does not form part of the Escarpment nor any Escarpment dependant or Escarpment related geological feature.
2. The property is a very small part of a geological feature known as the Fonthill Kame Delta which extends for some 2,100 acres. Only 1/4 of the Kame falls within the Proposed Planning Area. The highest point of the Kame is not located on the Steed and Evans property.
3. The Kame was rejected as a possible Earth Science Nature Reserve by the staff of the Ministry of Natural Resources.
4. The Niagara Escarpment Commission itself recommended deletion of lands to the south, east and west of the Steed and Evans property from the Planning Area because the Fonthill Kame Delta was considered remote from the Escarpment and rated a low priority as a visual landscape area.
5. The property drains to the Twelve Mile Creek basin as

does other lands that have been excluded from the Planning Area by the Niagara Escarpment Commission.

Lengthy expert evidence was adduced which was almost entirely directed towards attempting to establish that the general area which includes the subject property is not part of the Escarpment or lands in its vicinity.

EXHIBITS:

475. Map 1 - Paleozoic Geology of the Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

476. Map 2 - Pleistocene Geology of the Pelham Area. Steed and Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

477. Map 3 - Alternative Escarpment Corridors. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

478. Map 4 - Earth Science Features, Pelham Area. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

479. Map 5 - Aquatic Resources, Pelham Area. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

480. Map 6 - Natural Features, Pelham Area. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

481. Map 7 - Scenic and Historic Features, Pelham Area. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

482. Map 7 A - Visibility of the Fonthill Edge. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd.,

Kitchener, Ontario.

483. Map 8 - Resources in the Vicinity of the Escarpment. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

484. Map 9 - Aggregate Resources, Fonthill Kame. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

485. Map 10 - Lands Available for Mining, Fonthill Kame. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

486. Ministry of Natural Resources, Ontario Geological Survey, Preliminary Map P.2399, Recommended High Priority Mineral Resource Protection Areas, Proposed Niagara Escarpment Planning Area (PNEPA), Scale: 1:250,000 dated 1981.

487. Map 11 - Agricultural Capability, Fonthill Kame. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

488. Map 12 - Alternative Plan for the Niagara Escarpment, Pelham Area. Steed & Evans Ltd., Fonthill Pit. Scale: 1:12500. Ecologistics Ltd., Kitchener, Ontario.

489. Vegetation and Replanting report prepared by Dr. Derek J. Coleman, January 1980 for presentation at a Niagara Escarpment Commission development control permit application hearing. Field work done in 1978.

490. Nine Items: A series of nine maps, Paleozoic Geology, Ontario Division of Mines, Ministry of Natural Resources:
   1. Map 2344, Niagara, Paleozoic Geology
   2. Map 2343, Grimsby, Paleozoic Geology
   3. Map 2336, Hamilton, Paleozoic Geology
   4. Map 2337, Brampton, Paleozoic Geology

5. Map 2342, Guelph, Paleozoic Geology
6. Map 2338, Bolton, Paleozoic Geology
7. Map 2339, Orangeville, Paleozoic Geology
8. Map 2340, Dundalk, Paleozoic Geology
9. Map 2341, Collingwood-Nottawasaga, Paleozoic Geology

491. Terrain Map 1 - Fonthill Area, Hydrogeologic Investigation for Steed & Evans Ltd. Scale: 1:25000. Project 78:19 Gartner Lee Associates Limited.

492. Bedrock Topography Map 2 - Fonthill Area, Hydrogeologic Investigation for Steed & Evans Ltd. Scale: 1:25000. Project 78:19 Gartner Lee Associates Limited.

493. Ontario Geological Survey, Preliminary Map P.2400 Bedrock Topography Series. Niagara and Niagara-on-the-Lake Area. Issued 1981. Additional markings by E. Grant Anderson: approximate location of Steed & Evans Ltd.'s property.

494. Surface Drainage Map 3 - Fonthill Area, Hydrogeologic Investigation for Steed & Evans Ltd. Scale: 1:25000. Project 78:19 Gartner Lee Associates Limited.

495. Curriculum Vitae - Dr. Peter Peach

496. Fonthill Hydrogeologic Study, Lots 4 and 5, Concession 6, Town of Pelham for Steed & Evans Ltd. Gartner Lee Associates Limited, Project 78:19. September, 1978.

497. Topographic and Geologic Sections, Pelham Area (to scale), drawn under the supervision of Grant Anderson and Andrew Cooper, Gardner Lee Associates Limited.

498. List of completed International Biological Program/CT checklists for Ontario, obtained from the Ministry of Natural Resources by Dr. Derek J. Coleman.

499. St. John's Conservation Area, International Biological Checksheet.

500. Topographic Map: Niagara, Ontario, Scale: ¯1:50000 - contour interval 25 feet, Department of National Defence 30M/3W Edition 4, MCE Series A 751. Additional markings on map.

501. Drainage Divides, In Vicinity of Steed & Evans property, Town of Pelham, Regional Municipality of Niagara. Topographic map 1:25000 blown up ten times, with legend.

502. Guidelines on the Man-Made Heritage Component of Environmental Assessments, prepared by John Weiler, Historical Planning and Research Branch, Ontario Ministry of Culture and Recreation. September 1980.

503. Curriculum Vitae - Andrew John Cooper

504. Preliminary Map P. 764, Geological Series, Quaternay Geology of the Niagara Area. Scale: 1:50000. Division of Mines, Ministry of Natural Resources, 1972. B.H. Feenstra.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject lands.

REASONS:

We are convinced by the evidence adduced during this submission that the location of the scarp is farther north than the southern boundary of the Proposed Plan in this location would seem to indicate and accordingly would recommend that consideration be given to deleting from the Plan all the lands south of Metler Road in this area since we are of the opinion based on all the evidence that Metler Road would be the proper southerly boundary and still accomplish all the objectives of the Plan and the *Niagara Escarpment Planning and Development Act*.

It is our opinion that we do not have the jurisdiction to recommend the deletion of lands for which no submission had been made by the owner or the municipalities concerned for their deletion and for this reason we have only dealt with the subject lands in this recommendation.

FILE NO. S 100-138

SUBMISSION NO. 654
(Written Only)

OWNER: D.W. Lathrop

LAND: Part Lot 2, Concession 5
Part Lot 2 and 3, Concession 4
Part Block S, Plan 25
Part Lot 2, Concession 6
Town of Pelham

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 100-139

SUBMISSION NO. 655
(Written Only)

OWNER: Kenneth and Edna Knisley

LAND: Part Lot 5, Concession 7
Town of Pelham

SUMMARY OF SUBMISSION:

This submission supports the Plan fully and expresses a desire that the above property remain within it.

RECOMMENDATION:

None.

REASONS:

This property is included in one of the areas recommended for deletion in Submission 489 (Regional Municipality of Niagara).

FILE NO. S 100-140

SUBMISSION NO. 656
(Written Only)

OWNER: Albert E. Roberts

LAND: Part Block O, Plan 25
Town of Pelham

SUMMARY OF SUBMISSION:

This submission requests that the property above noted remain within the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See reasons under Submission 603 (Steed and Evans Limited).

FILE NO. S 100-141

SUBMISSION NO. 657
(Written Only)

OWNER: Mrs. D. Hubbard

LAND: Part Block O, Plan 25
Town of Pelham

SUMMARY OF SUBMISSION:

This submission expresses the wish that the above property remain within the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See reasons under Submission 603 (Steed & Evans Limited).

FILE NO. S 100-137 SUBMISSION NO. 670

OWNER: Mrs. C. Taylor

LAND: Part Lot 19, Concession 5
Town of Lincoln

SUMMARY OF SUBMISSION:

This owner purchased some 12.5 acres of land in 1969. It is a long narrow strip of about 1/2 mile in length directly along the brow of the scarp. The submission praises the concept of the Bruce Trail but berates the organization for the liberties it has taken with her land. The Trail runs through the extent of her property longitudinally, and at the time of her submission was still there despite permission to use it being withdrawn by the owner.

Efforts to sell the property, she stated, have not been successful and this is attributable to the Bruce Trail's continued use of her property. She feels that the Niagara Escarpment Commission and its Plan is forcing a sale at depressed prices.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. S 100-142 SUBMISSION NO. 677

OWNER: Alistair McKinlay

LAND: Part Lot 22, Concession 2
Town of Grimsby

SUMMARY OF SUBMISSION:

The subject property is located on Main Street West in Grimsby and is part of a registered plan. It is some 3.22 acres in extent and designated under the Proposed Plan as Escarpment Protection. There is a hodge-podge development in the words of this owner along the extent of old Highway 8 or Regional Road 81 as it is now called. He is more than one kilometre away from the slope of the Escarpment and his property has access to sewer and water with the mains running past the frontage of the property and both have the capacity to serve these lands for further development.

At present there is a large two storey residential building on the property with private tennis court and swimming pool.

EXHIBIT:

521. Air photo showing property of Alistair McKinlay,
Part Lot 22, Concession 2, Town of Grimsby,
Regional Municipality of Niagara.

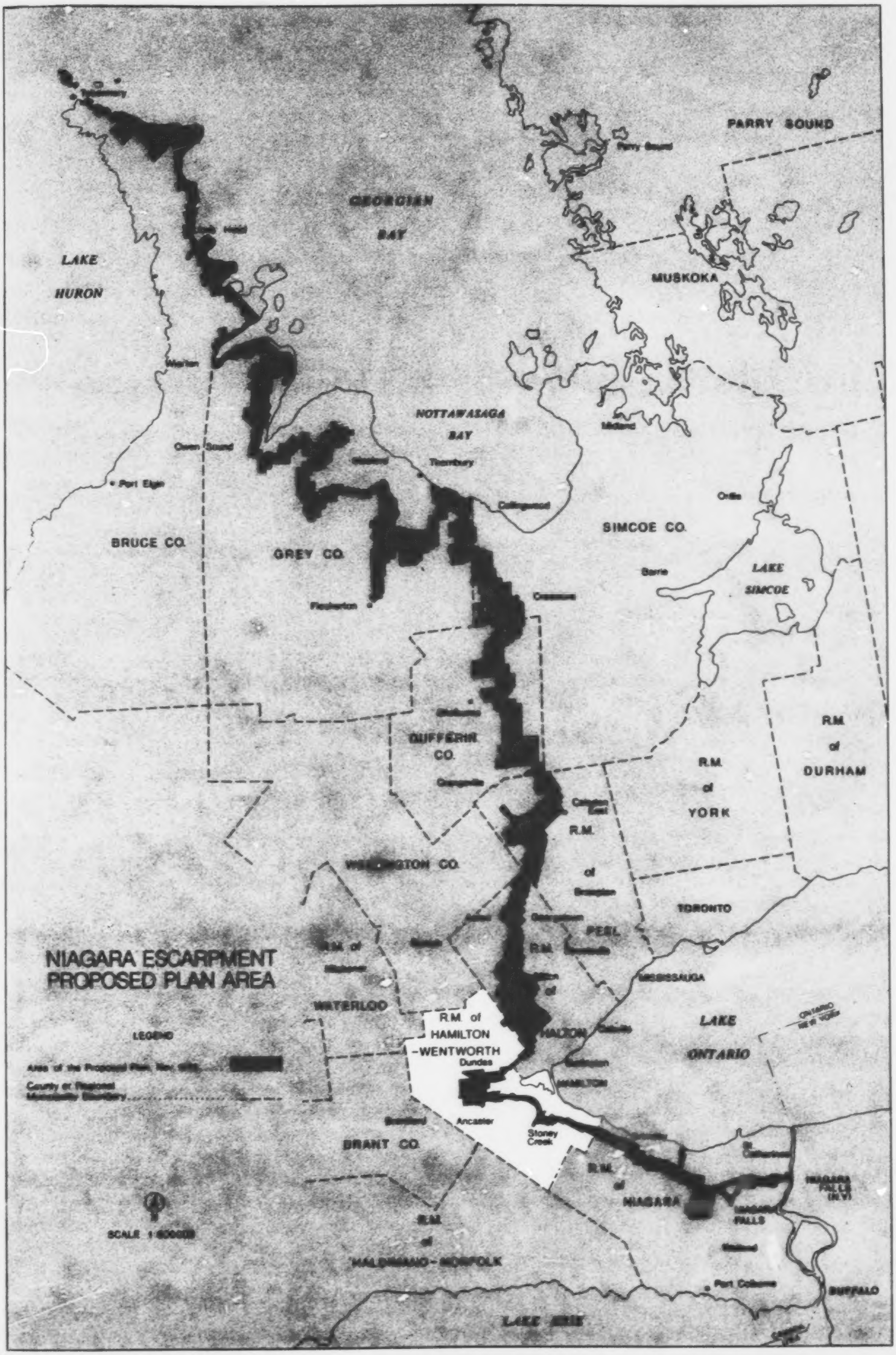
RECOMMENDATION:

None.

REASONS:

In our recommendations, comments and reasons in the general section of this report we have recommended that some provisions for permitting more development in Escarpment Protection Areas be included in the Proposed Plan by allowing new lots to be created by low density plans of subdivision.

REGIONAL MUNICIPALITY OF
HAMILTON-WENTWORTH


NIAGARA ESCARPMENT PROPOSED PLAN AREA

LAKE HURON
GEORGIAN BAY
PARRY SOUND
Parry Sound
MUSKOKA
NOTTAWASAGA BAY
Midland
Wiarton
Owen Sound
Port Elgin
Thornbury
Collingwood
Orillia
BRUCE CO.
GREY CO.
SIMCOE CO.
Barrie
LAKE SIMCOE
Flesherton
Creemore
DUFFERIN CO.
Orangeville
R.M. of DURHAM
R.M. of YORK
R.M. of Peel
WELLINGTON CO.
TORONTO
PEEL
MISSISSAUGA
R.M. of Waterloo
WATERLOO
R.M. of HALTON
LAKE ONTARIO
ONTARIO
NEW YORK
LEGEND
Area of the Proposed Plan
County or Regional Municipality Boundary
R.M. of HAMILTON -WENTWORTH
Dundas
HAMILTON
Ancaster
Stoney Creek
BRANT CO.
R.M. of NIAGARA
St. Catharines
NIAGARA FALLS
NIAGARA FALLS (N.Y.)
Welland
Port Colborne
BUFFALO
R.M. of HALDIMAND - NORFOLK
SCALE 1:600000
LAKE ERIE

PHASE II HEARING

THE

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Name	File Number	Submission Number	Page Number
Adam, Ms. Monica	200-39	107	812
Allarco Developments Ltd.	200-1	101	806
Ancaster, Town of	200-28	82	776
Beattie, Dr. Catharine	200-25	95	799
Bodnar, Andrew and Daly, Alan	200-26	97	801
Bunyon, Mr. and Mrs. John	200-32	113	818
Clock Investments Ltd.	200-14	81	775
Cooper, John	200-30	89	790
Dawns, Mr. and Mrs. L.	200-36	103	808
Desroches, Ms. Helen	200-7	115	820
Diamond, David E.	200-6	108	813

Name	File Number	Submission Number	Page Number
Di Gregorio, Elizabeth	200-41	105	810
Dukeshire, Victor L.	200-17	88	789
Dundana Homes Limited	S 200-46	675	826
Dunford, Roy E.	200-10	87	788
Fenwood Developments Limited	200-16	84	782
Flamborough, Township of	200-21	94	797
Fletcher, Ms. Mary Jane	200-33	112	817
Gardiner, Mr. and Mrs. John	200-37	102	807
Gisbrenner, Ms. Linda	200-34	111	816
Glendale Golf and Country Club Limited	200-22	92	794
Hamilton, City of	200-9	76	753
Hamilton Region Conservation Authority	200-2	77	755
Hamilton-Wentworth, Regional Municipality of	200-5	78	765
Hardy, Mr. and Mrs. Alan	200-35	110	815
Iacobelli, Mr. Celeste	S 200-48	606	824
Iroquois Bruce Trail Club	200-15	91	792
Martin, Frank J.	200-27	98	802
Martin, Kenneth E.	200-8	83	780
Mitchell, G.E.	200-12	90	791
Obranovich, S.J.	200-31	114	819
Ontario Trail Riders Association	200-3	96	800
Pavlovich, Ronald	200-40	106	811
Puddicombe, J.B. & Son Limited	200-20	80	774

Name	File Number	Submission Number	Page Number
Royal Botanical Gardens	200-18	86	786
Save the Valley Committee	S 200-45	607	825
Sherwin, R.T.	S 200-47	605	823
Sprentz, Donna	200-42	104	809
Stoney Creek, Town of	200-13	75	751
Taro Properties Incorporated	200-24	116	821
Tidey, Donald E.	200-23	93	796
Towsley, Alan H.	200-11	100	805
Waterdown-East Flamborough Heritage Society	200-4	99	804
Watergate Investments Ltd.	S 200-44	604	822
Weatheridge Group Ltd. (Marketplan Division)	200-19	79	772
Wills, Nancy and Marguerite R.	200-38	109	814
Wright, Dr. Frederick J.	200-29	85	784

PHASE II

GENERAL STATEMENT

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the Region of Hamilton-Wentworth for which a hearing was held at Ancaster together with a portion of the supplementary hearing held in Burlington consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 75 to 116 inclusive, 604 to 607 inclusive and number 675.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 76, 78, 81, 82, 94, 107, 108, 110, 111, 112, 113, 114, 115, 116, 605, 606 and 675.

PHASE II

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 200-13 SUBMISSION NO. 75

AGENT: Ronald Marini, Director of Planning

GROUP: Town of Stoney Creek

SUMMARY OF SUBMISSION:

The two main issues which concern the municipality by the Proposed Plan relate to the following:

1. Geographic extent of Stoney Creek which is governed by the Proposed Plan.
2. The Urban Group classification for Stoney Creek.

It is the position of the Town that the only area which should be covered by the Plan is the scarp face which is approximately 322 hectares and all the other designations should be removed consisting of some 1600 hectares. The scarp face is presently shown in the Proposed Plan as an Escarpment Natural Area.

It is also felt by the Council of the Town that the Urban Centres designation will create additional and unnecessary policies in not only the developed areas of the Town but also in developing areas. The feeling is that the local official plan provides sufficient safeguards to protect the Escarpment. The planner pointed out that the present official plan has two categories, one being a conservation land use and the other open space that will protect the natural scenic beauty of the lands. The Town of Stoney Creek, therefore, would like all areas of the Town removed from the Proposed Plan except for the Escarpment Natural Areas.

The municipality also cannot see any justification for placing the Town in the Urban Group One classification and fears that such a designation will interfere with future transportation corridors. This would be particularly applicable to a new north-south facility which would cross the Escarpment.

EXHIBIT:

56. Map - Town of Stoney Creek

Legend: Stoney Creek Official Plan
. Conservation Lands and Open Space
Niagara Escarpment Commission
. Escarpment Natural Areas

RECOMMENDATION:

None.

REASONS:

The subject of Urban Centres has been dealt with in recommendations, comments and reasons in the general section of this report. Based on our recommendation regarding Urban Centres we are of the opinion that this will largely be under local control enabling the aspirations of the municipality to be met without disturbing the boundaries of the Proposed Plan as it pertains to Stoney Creek.

FILE NO. 200-9 SUBMISSION NO. 76

AGENT: V.J. Abraham, Director of Local Planning
Regional Municipality of Hamilton-Wentworth

GROUP: City of Hamilton

SUMMARY OF SUBMISSION:

The brief presented on behalf of the City of Hamilton would indicate that in general the Proposed Plan is compatible with the intentions of the official plan for the City of Hamilton if certain minor revisions were made. The principle of development control is endorsed. Based on City experience with this form of land control, its understanding of the sensitivity of the Escarpment is reflected in its various planning documents, and the availability of staff to administer development applications, the following recommendations are made:

1. The Proposed Plan for the Niagara Escarpment is endorsed, subject to the revision of Map 2 to permit development for light industrial and commercial purposes in conformity with Ministerial Approved Official Plan Amendments 276 and 346 for the East Mountain Industrial Area.
2. The City is given the authority to issue its own development permits.

EXHIBIT:

57. Map - Part of Official Plan Amendments 276 and 346 City of Hamilton
- Part of the East Mountain Industrial Area
  . Restricted Industrial
  . Open Space
  . Business

RECOMMENDATION:

That the areas covered by Hamilton Official Plan Amendments 276 and 346 be deleted from the Proposed Plan.

REASONS:

This action is in conformity with the Niagara Escarpment Commission's staff recommendation. An errata sheet and map were filed by the Niagara Escarpment Commission as Exhibit 52 in these proceedings and all privately owned lands south of Albion Falls are not included in the Proposed Plan.

FILE NO. 200-2 SUBMISSION NO. 77

AGENT: B.W. Vanderbrug, General Manager

GROUP: Hamilton Region Conservation Authority

SUMMARY OF SUBMISSION:

The comments made in this brief fall into four main categories:

(a) Conservation Areas

(b) Other Public Lands

(c) Private Lands

(d) Property Boundary Corrections

Exception is taken to designations given certain Conservation Areas as set forth in Section 3.7 of the Proposed Plan which are numbered as follows:

Areas 96 and 97. These areas constitute in the Proposed Plan Dundas Valley Conservation Area West and East respectively. The Conservation Authority does not believe the Dundas Valley should be broken up into two units. It is therefore recommended that the entire valley be given a Natural Environment Recreation Park classification. While agreeing that the valley contains a substantial acreage with unique natural habitats, it would be more practical in the authority's view to protect these areas through the master planning process by appropriate land use designations.

Area 99 - Mount Albion Conservation Area. This area is, in many respects, similar to the Christie Conservation Area. The land is relatively level and located on top of the Escarpment in the middle of a highly urbanized area. The land was purchased at great expense for the purpose of meeting urban recreational needs. Intensive recreational use should therefore be permitted and it is recommended that this area be classified as an "Intensive Recreation Park".

Area 102 - Devil's Punch Bowl Conservation Area. The Conservation Authority has no objection to the classification. However, the description does not accurately represent an important existing land use. A major portion of this Conservation Area supports a viable tender fruit farming operation which will be maintained and improved in accordance with the approved master plan. The cultivated lands are not accessible to the public but provide a buffer for the day use areas as well as a backdrop consisting of an activity which is culturally and physically linked to the Escarpment. This agricultural use should be recognized in the Plan and it is to be made clear that a major portion of this Conservation Area is not accessible to the public.

Area 103 - Vinemount Conservation Area. In many respects, this area is similar to the Devil's Punch Bowl Conservation Area and the above comments therefore apply.

The following are two general comments on classifications made by the Conservation Authority:

1. We wonder if it is wise to include acreages when describing the various areas. Further acquisitions are made continually and the Plan will therefore always be out of date. Furthermore many Conservation Authority holdings are leased out on a long or short term basis and are therefore not accessible to the public. This should be noted in the Plan.
2. Section 3.2.3 describes "permitted uses" within the three classifications. It is recommended that horseback riding be added to the permitted uses in the "Natural Environment Recreation Parks". The Conservation Authority does not consider horseback riding to be an undesirable use, particularly if it is permitted on a controlled basis.

General Observation re Land Use Designations

(a) The Escarpment Natural Areas" and "Escarpment Protection Areas" best describe the uses and developments one might expect to find in a Conservation Area. We would like to see the permitted uses section of the Escarpment Protection Area classification, Item 4 amended by also permitting camping, interpretation, scientific, and educational uses. This would bring it more in line with "permitted uses" under the three aforementioned park classifications. There are other conflicts between permitted uses within certain park classifications and land use designations. The Plan is to clearly state which takes precedence.

(b) We are unclear on the intent of the "Urban Centre - Area of Direct Provincial Interest" designation. The designation seems to make the Plan unduly complicated, for no good apparent reason. It is therefore recommended that this designation be deleted, or failing this, that the description be expanded to clearly define the overall intent of the designation. While the Commission provided, by way of an errata sheet, the criteria for the designation, the intent of same is still not clear to us.

(c) Generally speaking, it seems desirable to border on an "Escarpment Natural Area" with an "Escarpment Protection Area". This will provide a necessary development transition between sensitive and nonsensitive Escarpment lands. In many instances, such a "buffer" is not provided for in the Plan. E.g., industrial use would be permitted immediately adjacent to the environmentally sensitive Summit Bog; high density urban development would be permitted immediately adjacent to the sensitive "Natural Escarpment Area" of the Allarco lands in Ancaster, urban developments would be permitted where "Escarpment Natural Area" designation would be more appropriate.

(d) "Escarpment Natural Areas" are the most significant natural and scenic areas of the Escarpment and include relatively undisturbed Escarpment features and associated stream valleys, wetlands and forests. There are a number of areas within the Hamilton-Wentworth Region which meet these criteria, yet were not given a "Natural Area" designation. This is particularly true in the Dundas Valley where a number of important stream valleys were excluded from this designation. It is therefore recommended that the Plan be updated in order to overcome this deficiency.

(e) In some instances, the Plan designates certain portions of Conservation Areas as "Escarpment Natural Areas". This designation is very restrictive and few uses are permitted, e.g. day use picnic areas and parking lots are not permitted. In a heavily urbanized area, it is unrealistic to designate large blocks of land as "Escarpment Natural Areas" as it would prohibit people oriented recreation such as day use picnicking. It is therefore recommended that the "Escarpment Natural Area" designation not be applied to table and plateau lands adjacent to the Escarpment. Instead, these lands should be given an "Escarpment Protection Area" designation.

(f) Because of the scale of Map 2, it is sometimes difficult to determine which land designation applies to a specific property. It is therefore important that it be stressed in the Plan that when in doubt, the land use criteria given in the text of the Plan be the final determining factor in determining exact land use boundaries.

The following are specific comments on Conservation Areas within the Niagara Escarpment Proposed Plan Area:

Christie Conservation Area

The entire area should be designated as an "Escarpment Protection Area" as amended. The Niagara Escarpment Plan has given the area three designations, i.e. Escarpment Natural, Escarpment Protection and Escarpment Rural. Land use features are not different enough to justify three designations.

Crooks Hollow Conservation Area

The entire area should be designated as an "Escarpment Protection Area" as amended, with the possible exception of the steep valley slope on the south side of the lake. This slope could be designated as an "Escarpment Natural Area". Furthermore, it should somehow be recognized that this area supports an industrial heritage of considerable historical significance. The historical importance of this Conservation Area is well documented and is recognized by the Conservation Authority in the planning of Crooks Hollow Conservation Area.

Dundas Valley Conservation Area

Under Section A - 1 (d) of this brief, we already referred to the need to include additional stream valleys under the "Escarpment Natural Area" designation. Furthermore, the Conservation Authority is opposed to the "Mineral Resource Area" designation given to a parcel of land in the southern portion of the Dundas Valley. The designated lands are owned by Smith Brothers Limited and located on Jerseyville Road in the Town of Ancaster. A portion of the area is presently used for the mining of sand and gravel and is licenced under *The Pits and Quarries Control Act*. However, the licence specifically states that only the southern portion of said lands can be used for gravel extraction. This restriction was placed on the property in order to minimize disruption to this very sensitive portion of the Dundas Valley. It is therefore recommended that the designated Mineral Resource Area be reduced in size and be made to conform to the current area of the quarrying operation. The balance of the property should be designated as an "Escarpment Natural Area".

Tiffany Falls Conservation Area
The entire area should be designated as an "Escarpment Protection Area" as amended, with the exception of the gorge, the Escarpment slope and associated stream valleys. These areas are to be given an "Escarpment Natural Area" designation.

Felker's Falls Conservation Area
The entire area should be designated as an "Escarpment Protection Area" as amended, with the exception of the gorge, the Escarpment slope and associated stream valleys.

Devil's Punch Bowl Conservation Area
The entire area should be designated as an "Escarpment Protection Area" as amended, with the exception of the gorge, the Escarpment slope and associated stream valleys.

Mount Albion Conservation Area
As already mentioned elsewhere in this brief, the Conservation Authority is unclear about the intent of a "Direct Provincial Interest" designation. Unless an acceptable reason is given, it is our recommendation that this Conservation Area be given an "Escarpment Protection Area" designation as amended.

Notwithstanding the above comments, the Conservation Authority is concerned about the finality of the land use designations given in the Plan. The master planning process presently followed by Conservation Authorities provides for a very detailed examination of all Conservation Areas in terms of land use zoning. This site specific zoning permits representation of all Conservation Area environments and landscapes with a far greater degree of accuracy than is possible under generalized designations. It is therefore recommended that the land use designations as suggested in the Niagara Escarpment Plan be used as a guide only in the master planning process instead of a final statement on permitted land uses. Land uses developed through the present master planning process used by Conservation Authorities should therefore take precedence over land use designations made in the Niagara Escarpment Plan.

Spencer Gorge Wilderness Area

The entire area should be designated as an Escarpment Protection Area as amended, with the exception of the gorge, the Escarpment slope and associated stream valleys.

Other Public Lands

The proposed Escarpment park system within the Hamilton-Wentworth sector is almost entirely based on holdings of the Conservation Authority (with the exception of Battlefield Park). For some reason major holdings by other public agencies were neither shown on the plan as publicly owned lands nor were they included in the proposed Niagara Escarpment Parks System. Some of these lands are as important as Conservation Authority holdings in terms of Escarpment preservation and recreational access and should therefore be included in the proposed park system. It is therefore recommended that major Niagara Escarpment holdings of other public agencies, notably the City of Hamilton and the Royal Botanical Gardens, be shown on Map 2 and be included in the proposed Niagara Escarpment Parks System.

Private Lands

Parts of Lot 10 and 11, Concession 1, Township of Flamborough

The area bounded by the Spencer Gorge Wilderness Area and Highway 8 has been shown as an Escarpment Natural Area. These lands primarily consist of tablelands and an Escarpment Protection Area would seem more logical.

Battlefield Park - Stoney Creek

For some reason, this area was given an Urban Centre designation. This designation allows a wide range of urban activities which are considered to be undesirable for this particular park. It is therefore recommended that this park be given an Escarpment Protection Area designation similar to nearby Conservation Areas.

Glenwood Heights and Grand Vista Gardens - Township of Flamborough

Lands described as Glenwood Heights and located west of Highway 8 in the Township of Flamborough support an established subdivision development of substantial size. The designations given in the plan (Escarpment Protection and Escarpment Rural) do not represent the existing land use and the designation should therefore be changed to Urban Group One.

Rock Chapel - Township of Flamborough

Lands located north of Rock Chapel Road in the vicinity of holdings of the Conservation Authority and the Royal Botanical Gardens are located within the jurisdiction of the Parkway Belt West and were therefore deleted from the Niagara Escarpment Plan. However, subject lands are not within the Design Area of the Parkway Belt West and are therefore only subject to the established local municipal zoning restrictions. The Niagara Escarpment Commission rejects the use of municipal zoning by-laws in regulating development in favour of development controls. By deleting subject lands from the plan, the Commission is indirectly endorsing two completely different methods of land use control on sections of the Escarpment in the Municipality of Flamborough. It is therefore recommended that the Commission review this potential conflict and make recommendations accordingly.

Stoney Creek Escarpment

Lands located south of Ridge Road between the Devil's Punch Bowl Conservation Area and the unopened road allowance of 6th Road East are designated as Escarpment Protection Areas. Lands located immediately adjacent to the above described blocks are designated as

Escarpment Rural Areas. In our view, there is no justification for the two designations as the lands in question are virtually identical. It is therefore recommended that all lands in Stoney Creek south of Ridge Road be designated as Escarpment Protection Area. This designation would permit the present agricultural and rural residential use.

Property Boundary Corrections

A number of errors were noted on Map 2 as it relates to Conservation Authority holdings. In some cases, Authority owned lands were not shown, while elsewhere, private holdings have been included.

EXHIBITS:

58. Map - Niagara Escarpment Commission Proposed Plan
    Map 2 (Hamilton-Wentworth)
    Appendix A - Land Use Designations and Parks Classifications
    . Conservation Areas
    . Private Lands

59. Map - Niagara Escarpment Commission Proposed Plan
    Map 2 (Hamilton-Wentworth)
    Appendix B - Conservation Areas Boundary Corrections

RECOMMENDATION:

None.

REASONS:

We accept the Niagara Escarpment Commission's Proposed Plan insofar as the lands of the Hamilton Region Conservation Authority are concerned. Many of the recommendations of the Authority regarding boundary changes will be refined at a later date as the Commission has informed us. We cannot make any recommendations regarding the Parkway Belt West lands nor those in private ownership since no notice was given to private landowners. The situation is a bit different where a municipality seeks change. As far as the other general concerns of this submission, we have attempted to answer these in our recommendations, comments and reasons in the general section of this report.

FILE NO. 200-5 SUBMISSION NO. 78

AGENT: Douglas Lychak, Commissioner of Planning

GROUP: Regional Municipality of Hamilton-Wentworth

SUMMARY OF SUBMISSION:

That the Regional Council endorse the Proposed Plan of the Niagara Escarpment subject to the following:

i) (a) Revision of Section 2.3 and 2.4 (New Lots) to include a statement that "any proposed severance must conform to the relevant policies of the local and Regional official plans".

(b) Revisions of Section 2.5 (Minor Urban Centres) to clearly define the extent to which development is to be permitted in the Minor Urban Centre of Winona and such revisions to Map 2 as are appropriate to recognize such definition.

(c) Revision of Section 2.6.2 (Clause A) to more precisely identify and define the areas in Waterdown subject to the stringent development control procedures of Areas of Direct Provincial Interest.

(d) Revision of Section 2.9.3 (Clause 5) by the substitution of the word "Municipal" for the word "local" in line 3.

(e) Revision of Section 2.9.7 (Clause 1) to clarify the policy in force in instances where Municipal official plans do not identify soil classes 1 to 4. Reference to soil classes 1 and 2 only, should be made.

(f) Revision of Section 4.1.9 (Clause C) as follows:

"The Niagara Escarpment Planning and

Development Act be amended so that - Regional Municipalities may be delegated the authority to issue development permits and have the option of a further delegation of such responsibilities to Area Municipalities."

(g) Section 2.6.2 A (Clause 6) and 2.9.10 (Clause 2) that assurance be given the Niagara Escarpment Commission Plan provisions will not prevent construction of the proposed major transportation facility (Albion Parkway) through the Red Hill Creek Valley, and required Area Municipal transportation facilities.

(h) That appropriate adjustments be made to the proposed designations in areas where the Niagara Escarpment Plan and the Parkway Belt West meet in order to overcome the existing problems of isolated parcels of land situated between the two jurisdictions and lacking appropriate land use regulations.

(i) Substitution of "Urban Centre" designation for existing Escarpment Protection Area designation on lands immediately east of Highway 6 south of the intersection of Highway 5 in Flamborough.

(j) That Section 4.4.1 (d) and 3.7 be revised to recognize the Dundas Valley as a "Proposed and Existing Escarpment Park" area and that Map 2 be appropriately revised to recognize the Dundas Valley as an area for "Proposed Acquisition".

(k) That the final Provincial funding provisions for park land acquisition in association with the Niagara Escarpment contained sufficient flexibility to allow for the future acquisition of lands which become appropriate for the Niagara Escarpment Park System as a result of changing land use within the Region of Hamilton-Wentworth; and

ii) That the following recommendations (identified in the area municipal submission) are principally local issues which are supported by the Region:

(a) That an appropriate statement be included in the proposed Niagara Escarpment Commission Plan stating that lands granted by a developer to meet the objectives of the Niagara Escarpment Commission should not be considered part of any parkland dedication.

(b) That development control be removed from the Urban Centre designation and replaced with zoning by-law procedures and site plan controls.

(c) That Map 2 of the proposed Niagara Escarpment Commission Plan be amended in the area of the East Mountain Industrial Park to conform with Exhibit B of the City of Hamilton's submission.

(d) That the Escarpment Protection Area which fronts onto Highway 8, east of Fruitland Road be reduced in area and that these lands be deleted from the Proposed Plan.

(e) That all of the lands designated as Urban Centre in the Towns of Stoney Creek and Dundas be included in Urban Group Two.

(f) That the land severance policies for the Escarpment Protection Area be amended to permit development on a basis of 10 hectare minimum lot areas.

(g) That the Region and Area Municipal Councils support the Commission's recommendations in respect of the Ontario Municipal Board and other recommendations respecting appeals.

(h) That the Provincial Government take a more active financial and adminsitrative role in the preservation and recording of historically significant structures.

(i) That the area presently designated as Escarpment Rural Area located north east of the settlement of Copetown in the Township of Flamborough (more specifically the area bounded by Highway 52 on the west, Regional Road 39 on the north, Inksetter Road on the east and Highway 99 on the south) as well as that portion of the Copetown Settlement in Flamborough be deleted from the Proposed Plan.

(j) That the area bounded by Old Ancaster Road, Montgomery Drive and Wilson Street within the Town of Ancaster and included within the urban area boundary of the Town's draft official plan be removed from the Escarpment Protection Area and designated Urban Centre.

EXHIBIT:

60. Map - Niagara Escarpment Commission Proposed Plan Map 2 (Regional Municipality of Hamilton-Wentworth), re alteration of boundaries.

RECOMMENDATIONS:

Matters raised in the submission as indicated in the summary above are dealt with in order below:

i) (a) None.

(b) None.

(c) None.

(d) None.

(e) None.

(f) None.

(g) None.

(h) None.

(i) Change to Urban Centre.

(j) None.

(k) None.

ii) (a) None.

(b) None.

(c) None.

(d) None.

(e) None.

(f) None.

(g) None.

(h) None.

(i) That these lands be deleted from the Proposed Plan.

(j) That these lands be changed from Escarpment Protection to Urban Centre.

REASONS:

Matters dealt with in the summary of submission and the Recommendations are further dealt with in order below:

i) (a) Dealt with in recommendations, comments and reasons in the general section of this report.

(b) Dealt with in recommendations, comments and reasons in the general section of this report.

(c) Dealt with in recommendations, comments and reasons in the general section of this report.

(d) Dealt with in recommendations, comments and reasons in the general section of this report.

(e) Dealt with in recommendations, comments and reasons in the general section of this report.

(f) Dealt with in recommendations, comments and reasons in the general section of this report.

(g) Dealt with in recommendations, comments and reasons in the general section of this report.

(h) No jurisdiction to enlarge boundaries of the Proposed Plan.

(i) Properly rounds out the Urban Centre designation.

(j) Too vast an area to consider at this point without a proper study.

(k) Dealt with in recommendations, comments and reasons in the general section of this report.

ii) (a) No jurisdiction.

(b) Dealt with elsewhere in this report.

(c) This action is in conformity with the Niagara Escarpment Commission's staff recommendation.

(d) Properly designated.

(e) Dealt with elsewhere in this report.

(f) Dealt with elsewhere in this report.

(g) Dealt with elsewhere in this report.

(h) Not properly part of the Proposed Plan.

(i) On the basis of the evidence adduced at the hearing we can see no logical reason why these lands should be included in the Proposed Plan.

(j) The evidence satisfies us that these lands should be properly designated as Urban Centre.

FILE NO. 200-19 SUBMISSION NO. 79

AGENT: G.A. Hodgins, President

GROUP: Weatheridge Group Ltd.
(Marketplan Division)

LAND: Part of Lots 1 and 2, Concession 1
Township of Flamborough

SUMMARY OF SUBMISSION:

This submission refers to the area of the Dundas Valley and sets out the opinion that in the upper reaches of the Dundas Valley the Proposed Plan does not provide land designations which will operate in the best interest of the objectives in the *Niagara Escarpment Planning and Development Act* in that if the designations as proposed are implemented, future development pressure will require consideration of more strip development. This submission further states that the Proposed Plan would be better served if the Escarpment Protection designation was relaxed in this area by changing a portion to Escarpment Rural as set out in Exhibit 66.

EXHIBITS:

61. Niagara Escarpment Commission's Proposed Plan Map 2 indicating area of Dundas Valley.
62. Dundas Valley - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.
63. Site Character - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.
64. Site Context - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.
65. Alternative 1 - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.

Submission No. 79 continued

66. Alternative 2 - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.

67. Revised Site Context - Part Lots 1 and 2, Concession 1, Township of Flamborough. April, 1980.

RECOMMENDATION:

None.

REASONS:

We have attempted to answer this dissertation on the Proposed Plan in recommendations, comments and reasons in the general section of this report.

FILE NO. 200-20 SUBMISSION NO. 80

AGENT: J.L.H. Puddicombe

OWNER: J.B. Puddicombe & Son Limited

LAND: Lot 1, Concession 2 and 3
Town of Stoney Creek

SUMMARY OF SUBMISSION:

It is interesting to note that this farm has been owned continually by one family since the lands were acquired by Crown Deeds dating back to George III. Mr. Puddicombe pointed out that this operation is one of two large farms in the area which are still viable farming operations.

The Proposed Plan will place these lands in part in Escarpment Natural Areas and Escarpment Protection Areas.

It was pointed out that the spread of growth from Hamilton and the surrounding area over the past thirty years and the introduction of hard services has placed a financial burden on the farm. This together with other outside influences will lead ultimately to the demise of farming.

It is the opinion of this owner that in the future he may be deprived of certain rights which he now enjoys. He does not have any argument with respect to the proposed Escarpment Natural Area but feels this area should be reduced to include only the base of the Escarpment and the top of the Escarpment.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 200-14 SUBMISSION NO. 81

AGENT: David L. Matthews, Planner

OWNER: Clock Investments Limited

LAND: Part Lot 21, Concession 4
Town of Stoney Creek

SUMMARY OF SUBMISSION:

This site has a broken frontage of approximately 775 feet on Ridge Road and 2350 feet along Second Road East and comprises 70.547 acres and presently is being used as orchard lands and is a relatively level site situated above the face of the Escarpment.

The northerly half of the site is proposed to be designated Escarpment Protection and the southerly half is proposed as Escarpment Rural. A total of seven residential lots have been severed from the property.

The owners request that the subject land be removed from the Proposed Plan.

RECOMMENDATION:

That only the Escarpment Rural designated portion of this property be deleted from the Proposed Plan.

REASONS:

The inclusion of these lands in the Proposed Plan was mainly due to their being in a development control area while other similar adjacent rural lands not so affected were not brought into said Plan.

FILE NO. 200-28 SUBMISSION NO. 82

AGENT: Peter Tollefsen, Town Planner

GROUP: Town of Ancaster

SUMMARY OF SUBMISSION:

The Town of Ancaster is generally in support of the Proposed Plan and regards it as a necessary step in preserving one of Canada's foremost scenic landforms. It was found by the Town staff, however, in applying these designations to existing official plan designations permitting certain growth in the Town there was some overlapping and these were set out under nine separate headings as follows:

1. The Niagara Escarpment Natural Areas designation cuts too far onto Terrace Park Drive, Beverly Court, and Blair Lane, which are within the Urban Area on the Town's official plan maps, and should be the Urban Centre designation on the Niagara Escarpment Proposed Plan map. While recognizing that there are steep grades in the area, it is recommended that a more exact line be established with the Niagara Escarpment Commission and Town staff, separating the flat tableland from the ravine lands in this area.

2. The Niagara Escarpment Natural Area cuts across the northwest corner of Clearview Estates Annex Subdivision. This area is within the Urban Area of the Town's official plan maps and should be shown as an Urban Centre designation on the Niagara Escarpment Proposed Plan map. It should be noted that this area has been deleted from the Niagara Escarpment Commission's area of development control by Ontario Regulation 321/77.

3. The Niagara Escarpment Area of Direct Provincial Interest cuts across the northern part of Sister Servants of Mary Immaculate lands which are entirely within the Urban Area

of the Town and should be the Urban Centre designation on the Niagara Escarpment Proposed Plan map.

4. Official Plan Amendment No. 149 has just been approved by the Minister of Housing and the Niagara Escarpment map should reflect this Amendment. This Amendment will allow the three existing homes on the Steiner Estate to be on separate parcels of land and create three new lots. The lands, therefore, should be shown as Urban Centre designation and not Escarpment Protection Area on the Niagara Escarpment Proposed Plan map.

5. The Town's Urban Area Boundary runs along the west side of Old Dundas Road to include the homes fronting on the west side of the road. It should be noted that the Regional Official Plan of Hamilton-Wentworth has been revised in this regard recently.

6. The Niagara Escarpment Area of Direct Provincial Interest overlaps the High Park Estates Subdivision and vicinity. The area is within the Urban Area on the Town's official plan maps and should be designated Urban Centre on the Niagara Escarpment Proposed Plan map.

7. (a) The Area of Direct Provincial Interest overlaps the outer edge of the Lime Kiln Road Neighbourhood which is within the urban area on the Town's official plan maps. We would ask that the line be altered accordingly.

   (b) In respect to the area shown in blue on our new map, we would request that it be changed from the Area of Direct Provincial Interest designation to the Urban Centre designation on the Niagara Escarpment Proposed Plan map to allow future severances in the area for the two existing homes belonging to a Mr. Martin.

   (c) The lands south of Ancaster Heights, shown in red on our new map, we would request be changed from the Area of Direct Provincial Interest designation to the Urban Centre designation on the Niagara Escarpment Proposed Plan map to allow future discussion on possible development in the area. These lands belong to a Mr. Martin.

8. The area shown as grey on the new map represents an area currently under consideration by Town Council. An application for a residential subdivision has been made for these lands and a requested report is presently being prepared for submission to the Ancaster Council, at which time a decision will be made. We would therefore request that these lands, owned by a Mr. Banting, be changed from the Area of Direct Provincial Interest designation to the Urban Centre designation on the Niagara Escarpment Proposed Plan map to allow future consideration on possible development in the area.

9. It is requested that the Urban Centre designation on the Niagara Escarpment Proposed Plan map in the vicinity of Mohawk and Upper Horning be reduced in size to the 90 acres in keeping with the line drawn by the Ministry of Natural Resources in its proposal to develop a Regional Park.

EXHIBITS:

68. Niagara Escarpment Commission's Proposed Plan, Schedule B, Draft Official Plan for the Town of Ancaster.

69. Blow-up of Draft Official Plan for the Town of Ancaster showing corrections in green hatching.

86. Town of Ancaster's Draft Official Plan and Niagara Escarpment Proposed Plan.

87. Schedule B Map, Part of proposed agreement with the Ministry of Natural Resources.

RECOMMENDATION:

That the submission of the Town of Ancaster be concurred with.

REASONS:

The proposal appears to be in conformity with the Town's Official Plan, and there is also substantial agreement by the Niagara Escarpment Commission's staff.

FILE NO. 200-8 SUBMISSION NO. 83

AGENT: Donald May, Planner

OWNER: Kenneth E. Martin

LAND: Part Lots 48 and 49, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

This property fronts on Lime Kiln Road and extends to the southerly edge of Ancaster Heights Subdivision and there are presently three homes on the property which comprises approximately 27 acres. Two designations are proposed by the Plan for this property, Urban Centre and Direct Provincial Interest. The whole property is designated for Urban Development in the existing Ancaster Official Plan.

The owner requests that the proposed desigations be changed as follows:

(a) That Urban Group Two B should apply to the area surrounding the existing homes and the area to the west.

(b) That Urban Group Two B should apply to certain of the lands adjacent to the Ancaster Heights Subdivision.

EXHIBITS:

70. Notice of Decision dated June 5, 1980 from Ministry of Housing to Donald J. May re H.O. File H 79-161 including two maps of the Town of Ancaster (May 1979) to amend Schedule "B" of the Official Plan of the Hamilton-Wentworth Planning Area.

71. Survey of property, dated August 23, 1979
Plan 62R-4989 (Steiner property)

72. Planning Composite of General Area from Tiffany Falls - Highway 2.

RECOMMENDATION:

None.

REASONS:

Dealt with in Submission 82 (Town of Ancaster).

FILE NO. 200-16 SUBMISSION NO. 84

AGENT: Donald F. May, Planner

GROUP: Fenwood Developments Limited

LAND: Part Lots 48 and 49, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

The land which this submission covers is approximately 52 acres, located in the Town of Ancaster and extends from Mohawk Road to Highway 2 with access to Montgomery Drive and Bailey Avenue.

Mr. May who represented the owners of the land, pointed out that steps were actually commenced in the late 50's and early 60's relative to a plan of subdivision on the subject lands. It was his opinion that to include these lands in an area of Direct Provincial Interest would kill the whole proposal. It appears that the owner seeks to retain about 10.7 acres for his home but would be willing to dedicate perhaps up to 20 acres to the Conservation Authority.

It is proposed to develop a low density residential subdivision on the lands marked in orange on Exhibit 73. The proposal will provide two elements which in Mr. May's opinion are important. The first is that it will provide an alternative access road to the existing Ancaster Heights subdivision. Secondly, the Tiffany Falls area would be enhanced by the provision of an area for parking cars.

It is the opinion of this planner that the Niagara Escarpment Commission should consider roads other than major roads as transportation routes. In any event Mr. May requests that the orange areas shown on the previously mentioned exhibit be shown as Urban Group Two.

EXHIBITS:

73. Draft Plan of Subdivision of all Fenwood Developments Ltd. lands (57 acres) in Ancaster.

74. Clerk's Certificate - Amendment No. 9 to the Official Plan of the Hamilton-Wentworth Planning Area (covering the Township of Ancaster) prepared 1961.

RECOMMENDATION:

None.

REASONS:

. Dealt with in Submission 82 (Town of Ancaster).

FILE NO. 200-29 SUBMISSION NO. 85

AGENT: Donald May, Planner

OWNER: Dr. Frederick J. Wright

LAND: 540 Wilson Street East
Town of Ancaster

SUMMARY OF SUBMISSION:

Dr. Wright is the owner of a property located in the Town of Ancaster which contains some seven acres and is presently improved by a residential building. The existing home was first constructed in 1810 on a high point of land and commands a good view. It is the intention of the owner to subdivide the property into three lots, thus creating two new lots for development. All of these lots will have frontage on Wilson Street East.

The Proposed Plan seeks to place part of these lands in an Urban Area and another portion in an area of Direct Provincial Interest. It appears also that Dr. Wright has the support of the Council of the Town of Ancaster with respect to his application. It is quite apparent from the comments of the staff of the Town that his proposal is quite in keeping with the existing development, that is large estate type residential lots. An example of the problem faced here is that the proposed Lot 3 could proceed but the frontage would be in the area of Direct Provincial Interest and would prevent necessary access.

EXHIBIT:

75. Sketch Plan of Wright Property, Ancaster, Ontario.

RECOMMENDATION:

None.

REASONS:

Dealt with in Submission 82 (Town of Ancaster).

FILE NO. 200-18 SUBMISSION NO. 86

AGENT: Dr. Leslie Laking
Director and Secretary of the Board

OWNER: Royal Botanical Gardens

SUMMARY OF SUBMISSION:

This submission makes the following recommendations:

1. That the total Escarpment and adjacent lands particularly in this part of Hamilton-Wentworth where the Escarpment is so highly visible, be included in the Proposed Niagara Escarpment Plan.

   Such action also would serve to remove the confusion that currently exists in the minds of the public and with both municipal staff and councillors, when questions of jurisdiction arise in this area. We submit that the present split in jurisdiction between The Parkway Belt and the Niagara Escarpment Commission is not logical.

2. The the Niagara Escarpment Commission retain full control over lands on both sides of Rock Chapel Road in lots 18, 19 and 20, Concession 2 of Flamborough, and over lands on both sides of Borer's Creek already designated in the Plan.

   In recommending the above, we are mindful of the situation which currently exists in the Royal Botanical Gardens' woodland adjacent to the Romar Drive development above Sydenham Road. Trees are cut, fires set, rubbish is dumped - all a result of a residential development located immediately adjacent to a valuable natural area under public ownership. Furthermore such deterioration invariably reflects on the value of the area as an Environmentally Sensitive Area, hence adjacent lands need the control afforded through inclusion in the Niagara Escarpment Plan.

3. The Royal Botanical Gardens is concerned about the deteriorating water quality of streams flowing into Cootes Paradise such as Borer's Creek and Grindstone Creek, the headwaters of which are well above the Escarpment. Additional residential development in areas associated with the basins drained by these streams can only result in further deterioration. This leads to Royal Botanical Gardens promotion of an "Agricultural First" policy for these lands, a policy which the Niagara Escarpment Commission might well support, had it jurisdiction over such areas adjacent to the Escarpment.

RECOMMENDATION:

None.

REASONS:

No jurisdiction.

FILE NO. 200-10 SUBMISSION NO. 87

OWNER: Roy E. Dunford

SUMMARY OF SUBMISSION:

This brief is in support of the preservation of the Niagara Escarpment although the submitter is of the opinion that the area of the Proposed Plan should not have been reduced in size. He believes that park uses proposed in the Plan are too heavily concentrated in the northern part of the Escarpment, and states that greater park acreages should be allocated to those areas of the Proposed Plan that lie closest to large centres of population. This is important due to the present energy shortage. New housing should not be permitted where it infringes on potential parkland. The brief also speaks of support for the preservation of the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 200-17 SUBMISSION NO. 88

AGENT: John Z. Sepejak, Planning Consultant

OWNER: Victor L. Dukeshire

LAND: Part Lot 34
Township of Flamborough

SUMMARY OF SUBMISSION:

This property comprises 29.5 acres on the east side of Inksetter Road and is proposed to be designated, both Escarpment Protection and Escarpment Natural by the Proposed Plan. The owner has prepared a plan of subdivision which was filed as Exhibit 76 and the proposed designations would not permit such a development. The proposed plan of subdivision provides for 14.5 acres to be made available as public property. The owner requests designations that would permit estate residential development.

EXHIBIT:

76. Proposed plan of subdivision.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 200-30

SUBMISSION NO. 89

OWNER: John Cooper

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan with specific reference to the Stoney Creek Battlefield Area and the Bruce Trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 200-12 SUBMISSION NO. 90

OWNER: G.E. Mitchell

LAND: Part Lot 50, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

This property is located on the south side of the old Highway 2 in the Town of Ancaster and consists of 12.7 acres plus or minus. The subject is located opposite three existing commercial uses and has a frontage of some 1320 feet. There is an existing residence on the lot.

The owner would like to subdivide the property into four estate lots but the proposed designation in the Plan would prevent this. Mr. Mitchell is of the opinion where an owner loses his rights, the land should be purchased by the Government at fair market value.

RECOMMENDATION:

None.

REASONS:

Dealt with in Submission 82 (Town of Ancaster).

FILE NO. 200-15 SUBMISSION NO. 91

AGENT: Frank Birch

GROUP: Iroquoia Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and in addition to expressing support made the following recommendations:

1. That all lands in the Dundas Valley scheduled for acquisition in the Hamilton Region Conservation Area's Master Plan be shown as lands "proposed for acquisition" in the Proposed Plan.
2. That the area bordering the creek immediately above Tiffany Falls be shown as lands "proposed for acquisition as parkland" in the Proposed Plan.
3. That the parcel of vacant land immediately south and east of Highway 403 where it reaches the Escarpment brow be shown as lands "proposed for acquisition" in the Proposed Plan.
4. That the Ontario Government be strongly urged to restore the 75 - 25 ratio of grants to conservation authorities for the purchase of Escarpment lands.
5. That a definite mechanism be established to provide for regular liaison between the Parkway Belt West and the implementing body for the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 200-22 SUBMISSION NO. 92

COUNSEL: J.P. Rocchi

GROUP: Glendale Golf & Country Club Limited

SUMMARY OF SUBMISSION:

Mr. T.J. Shea presented a prepared brief on behalf of the golf club. These lands consist of approximately 104 acres and a portion of the property is located on the Niagara Escarpment. The Club takes the position that it does not oppose those portions of the property which are Escarpment being designated in such a category but it does object to the remaining lands being designated as Urban Group Two (A) Area of Direct Provincial Interest. It is contended that similar lands both east and west are now developed residentially and are not affected by the Proposed Plan. It was also pointed out that a substantial part of the Club's assets rest in the development potential of the land and are necessary to its continuation as a viable operation. It appears that extensive renovations to the clubhouse were carried out a few years ago and the mortage covering this work is coming up for renewal and that if the Proposed Plan was approved the loss of development rights could seriously jeopardize this being successfully negotiated.

EXHIBITS:

77. Sketch showing golf course and adjacent lands.

78. Qualifications and experience of the Appraiser, Terrance J. Shea

79. Aerial photo re: Glendale Golf & Country Club Limited

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report. As a result of the recommendations concerning the Urban Centres designation the subject property will be designated Escarpment Protection and if our recommendation allowing estate residential subdivisions in the Escarpment Protection Areas is approved then the request herein will partially be met.

FILE NO. 200-23 SUBMISSION NO. 93

OWNER: Donald E. Tidey

LAND: Part Lot 4, Concession 1
Township of Flamborough

SUMMARY OF SUBMISSION:

This property comprises approximately 40 acres with 1300 feet of frontage on Highway 8 adjacent to West Flamborough and in the opinion of the owner is tableland suitable for urban development. The owner further stated that he purchased the land in 1966 for development purposes and that in 1966 it was designated by the Township's planning authorities as "residential for future development". The subject lands are designated Escarpment Rural Area in the Proposed Plan. The owner requests that his lands be removed from the Proposed Plan since this land is immediately adjacent to existing subdivisions.

RECOMMENDATION:

None.

REASONS:

We are satisfied that the permitted uses are sufficient to cover the owner's needs and the land is properly included in the Proposed Plan.

FILE NO. 200-21

SUBMISSION NO. 94

AGENT: Dr. Stephen Drotos, Planning Director

GROUP: Township of Flamborough

SUMMARY OF SUBMISSION:

The Township of Flamborough submission was made by its Planning Director, Dr. Stephen Drotos, M.C.I.P. He stated that the Township supports the Proposed Plan subject to the provisos contained in the two resolutions of Council set out below:

1. "Revolved that the Niagara Escarpment Hearing Commission be informed that the Township of Flamborough do request that the indicated designation of Escarpment Rural Area, as shown on Map 2 of the Proposed Plan for the Carlisle Area be changed to indicate the Canadian Pacific Railway as a natural line; inasmuch as this will conform with the Township of Flamborough Official Plan Amendment No. 102."
2. "Resolved that Technical Report 1980-24 to the Planning Committee be received and that Council supports the exemption of Waterdown area from any Development Control, and that the Zoning By-law should apply to all lands within the former Village of Waterdown."

The first resolution is self-explanatory and the latter would, if concurred with, enable Council to designate individual properties under the *Heritage Act* rather than the present proposal in the Proposed Plan to so designate the whole village.

EXHIBIT:

80. Two resolutions of the Township of Flamborough regarding presentation re Niagara Escarpment Proposed Plan Hearing.

RECOMMENDATION:

We concur with the first request that the Canadian Pacific Railway right-of-way be the westerly boundary of the Proposed Plan in this area.

REASONS:

In our opinion the railway is the proper and easily defined boundary. As to the other issue raised, this matter has been dealt with in our recommendations, comments and reasons in the general section of this report. See also Submission 82 (Town of Ancaster).

FILE NO. 200-25 SUBMISSION NO. 95

OWNER: Dr. Catharine Beattie

SUMMARY OF SUBMISSION:

Dr. Beattie seems to support the Proposed Plan but feels that it perhaps does not go far enough. One of her main concerns involves a tennis club and the lighting on it but this is a problem which this panel cannot deal with and would have to be settled in another forum. The general points raised by Dr. Beattie are as follows:

1. There is inadequate enforcement at the present time of the existing regulations.
2. The regulations are too limited in terms of the factors considered potentially destructive of the Escarpment and its environs, e.g. lights, noise and roads are apparently not included.
3. Development appeal procedures are inadequate and biased in favour of the would-be user.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. 200-3 SUBMISSION NO. 96

AGENT: Mrs. Stephanie Kindt

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

This submission was primarily concerned that a continuous route for horseback riding be provided for in the Proposed Plan. A suggested route was filed as Exhibit 81.

EXHIBIT:

81. Suggested route for horsemen around the urban areas of Hamilton in the Hamilton-Wentworth Region.

RECOMMENDATION:

None.

REASONS:

No jurisdiction to designate specific trails.

FILE NO. 200-26 SUBMISSION NO. 97

OWNER: Andrew Bodnar and Alan Daly -

LAND: Part Lot 1, Concession 6
Township of Flamborough

SUMMARY OF SUBMISSION:

Mr. Bodnar owns approximately 16 1/2 acres which the Proposed Plan places in the Escarpment Protection Area. He pointed out that the land has a drainage problem and as a result about 40% of the lot is covered by water. This he feels could be solved and sufficient land would be available to erect two houses.

It is Mr. Bodnar's desire to see the lands removed from the Protection Area and simply revert to its present rural designation.

RECOMMENDATION:

None.

REASONS:

Panel cannot make a recommendation in the face of the limited evidence offered concerning these wetlands.

FILE NO. 200-27 SUBMISSION NO. 98

OWNER: Frank J. Martin

LAND: Part Lot 5, Concession 2 and 3
Town of Stoney Creek

SUMMARY OF SUBMISSION:

This submission made by the above named concerns some 48.5 acres of which 40 acres are designated in the Proposed Plan as an Escarpment Protection Area. The owner requests these lands be changed in designation to Minor Urban Centre. He agrees with the Escarpment Natural designation placed on the 8.5 acres. While the lands are being farmed now it is contended that it is not possible to continue farming for social and economic reasons. The Class 3 and 4 type soils here need extensive applications of manure, and in storing and spreading it there have been complaints and harassment from neighbours. It should be said that there are developed lands all around the farm. Spraying fruit crops has also drawn complaints because of the "drift", and sound devices to protect the crop from birds have annoyed neighbours to the point where the power wires have been cut. The farm is next to a sewage lagoon and it has released sewage three times in recent years over the land causing pollution and destruction of the vineyards. Based on all of the above and bearing in mind that sewage problems have arisen on the residential development adjoining, the Ministry of the Environment has recommended sanitary sewers for the area. Martin is of the opinion that it is a developed area and his lands should be used for some form of urban development.

EXHIBITS:

82. Map showing Frank J. Martin's property and surrounding properties.

83. Letter from the Ministry of Agriculture and Food dated July 8, 1977.

84. Map of pollution samples taken by the Ministry of the Environment.

85. Report on water pollution survey, eastern part of Town of Stoney Creek and map and covering letter from the Ministry of the Environment.

RECOMMENDATION:

None.

REASONS:

It is the opinion of the panel that the requests by Mr. Martin to some extent have been resolved by the Proposed Plan itself and further by the recommendations contained elsewhere in this report. There is no question in our minds that the difficulties encountered by this landowner with neighbours and the operation of sewage lagoons as well, makes these lands less than desirable for farming.

FILE NO. 200-4

SUBMISSION NO. 99

AGENT: Marnie Stout

GROUP: Waterdown-East Flamborough Heritage Society

SUMMARY OF SUBMISSION:

This submission supports the action in the Proposed Plan to preserve the special character of the former Village of Waterdown and makes the following recommendations:

1. "We approve in principle the Commission's recommendation for the Village, and we recommend that necesary studies be undertaken to ascertain the feasibility of such designation."
2. "In the meantime, we recommend that continued building control be maintained by the Municipality and the Niagara Escarpment Commission in order that the Special character of Waterdown be maintained."

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 200-11 SUBMISSION NO. 100

OWNER: Alan H. Towsley

LAND: Part Lot 4, Concession 8
Township of Flamborough

SUMMARY OF SUBMISSION:

This property comprises approximately 11.58 acres in the northeastern quadrant of the Village of Carlisle and is designated Escarpment Rural in the Proposed Plan. It is in the settlement boundary of approved Official Plan Amendment No. 102. The eastern boundary of this amendment follows a Canadian Pacific Railway right-of-way. The owner requests that the lands lying west of this Canadian Pacific Railway right-of-way be deleted from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Dealt with in Submission 94 (Township of Flamborough).

SUBMISSION NO. 101

FILE NO. 200-1

COUNSEL: Richard R. Arblaster

OWNER: Allarco Developments Ltd.

LAND: Part Lots 53 and 54, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

This brief is in support of a change in the Proposed Plan by the Niagara Escarpment Commission to Urban Centre designation for certain of Allarco lands as shown on the maps in this brief.

RECOMMENDATION:

None.

REASONS:

The changes contained in the errata sheet filed by the Niagara Escarpment Commission's staff as part of Exhibit 52 rectified the above problem.

FILE NO. 200-37 SUBMISSION NO. 102

OWNER: Mr. & Mrs. John Gardiner

LAND: 91 Dartnall Road
Hamilton, Ontario

SUMMARY OF SUBMISSION:

That the above property should not be included in the Proposed Plan.

Counsel for the Niagara Escarpment Commission agreed that this property was included in the Proposed Plan in error.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for removal in Submission 76 (City of Hamilton).

FILE NO. 200-36

SUBMISSION NO. 103

AGENT: John Gardiner

OWNER: Mr. and Mrs. L. Dawns

LAND: 97 Dartnall Road
Hamilton, Ontario

SUMMARY OF SUBMISSION:

The above property should not be included in the Proposed Plan.

Counsel for the Niagara Escarpment Commission agreed that this property was included in the Plan in error.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for removal in Submission 76 (City of Hamilton).

FILE NO. 200-42

SUBMISSION NO. 104

OWNER: Donna Sprentz

LAND: 490 Old Dundas Road
Ancaster, Ontario

SUMMARY OF SUBMISSION:

This submission arises from a request of the Niagara Escarpment Commission to redesignate the above property from an Escarpment Protection Area to an Urban Centre Area of Direct Provincial Interest. The Commission contends that the present designation was made in error. It is noted that the present official plan of the Municipality shows the property as urban.

The owner opposes the change in designation proposed and requests that her property remain in the official plan designation. She wishes to sell the land to the adjacent Old Mill Restaurant for commercial use. While the Escarpment Protection Area and the Urban Centre Area of Direct Provincial Interest would not preclude the sale of the property as desired, it could not be used in the commercial way contemplated.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendation, comments and reasons in the general section of this report.

As a result of the recommendation concerning Urban Centre designation, the subject property will be designated "Urban Centre".

FILE NO. 200-41

SUBMISSION NO. 105

OWNER: Mrs. Elizabeth Di Gregorio

LAND: Lot 46, Concession 2
Town of Ancaster

SUMMARY OF SUBMISSION:

This submission results from a request by the Niagara Escarpment Commission to redesignate the property from Escarpment Protection to Urban Centre - Outer Area. The property consists of three acres immediately adjacent to the Old Mill Restaurant and has draft subdivision approval for ten lots. Mrs. Di Gregorio requests that her property be removed from the Proposed Plan. The Niagara Escarpment Commission advised the hearing that this property could be developed under the proposed designation.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 200-40

SUBMISSION NO. 106
(Written Only)

OWNER: Ronald Pavlovich

LAND: 1411 Rymal Road
Hamilton, Ontario

SUMMARY OF SUBMISSION:

The above property should not be included in the Proposed Plan.

Counsel for the Niagara Escarpment Commission agreed that this property was included in the Plan in error.

RECOMMENDATION:

None.

REASONS:

These lands recommended for removal in Submission 76 (City of Hamilton).

FILE NO. 200-39

SUBMISSION NO. 107
(Written Only)

OWNER: Ms. Monica Adam

LAND: 9 Ashdale Court
Waterdown, Ontario

SUMMARY OF SUBMISSION:

Niagara Escarpment Commission proposes changes in designation of this property from Escarpment Rural to Urban Centre.

This submission concurs.

RECOMMENDATION:

We agree with the proposed designation change.

REASONS:

This was to correct a mapping error.

FILE NO. 200-6

SUBMISSION NO. 108
(Written Only)

OWNER: David E. Diamond

LAND: Lot 9, Concession 3
Town of Stoney Creek

SUMMARY OF SUBMISSION:

This submission is a result of a change requested by the Niagara Escarpment Commission. The requested change in the Proposed Plan designation is from Public Land to Escarpment Protection.

This submission concurs with the proposed changes.

RECOMMENDATION:

We agree with the proposed change in designation.

REASONS:

This was to correct a mapping error.

FILE NO. 200-38

SUBMISSION NO. 109
(Written Only)

OWNER: Mrs. Nancy Wills and Mrs. Marguerite R. Wills

LAND: Part Lot 2, Concession 8
City of Hamilton

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission that the lands be removed from the Proposed Plan having been included in error.

The submission concurs.

RECOMMENDATION:

None.

REASONS:

These lands recommended for removal in Submission 76 (City of Hamilton).

FILE NO. 200-35

SUBMISSION NO. 110
(Written Only)

OWNER: Mr. and Mrs. Alan Hardy

LAND: 4 Ashdale Court
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Center - Outer Area.

This submission does not agree with the proposed change.

The Commission advises that the property is part of a built up subdivision and should be designated Urban Centre - Outer Area.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

SUBMISSION NO. 111
(Written Only)

FILE NO. 200-34

OWNER: Ms. Linda Gisbrenner

LAND: 21 Laurendale Avenue
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Centre - Outer Area.

This submission does not agree with the proposed change.

The Commission advises that the property is part of a built up subdivision and should be designated Urban Centre - Outer Area.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

FILE NO. 200-33

SUBMISSION NO. 112
(Written Only)

OWNER: Ms. Mary Jane Fletcher

LAND: 19 Ashdale Court
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Centre - Outer Area.

This submission does not agree with the proposed change.

The Commission advises that the property is part of a built up subdivision and should be designated Urban Centre - Outer Area.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

FILE NO. 200-32

SUBMISSION NO. 113
(Written Only)

OWNER: Mr. and Mrs. John Bunyon

LAND: 14 Ashdale Court
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Centre - Outer Area.

This submission does not agree with the proposed change.

The Commission advises that the property is part of a built up subdivision and should be designated Urban Centre - Outer Area.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

FILE NO. 200-31

SUBMISSION NO. 114
(Written Only)

OWNER: S.J. Obranovich

LAND: 5 Ashdale Court
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Centre - Outer Area.

This submission concurs with the proposed change.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

FILE NO. 200-7

SUBMISSION NO. 115
(Written Only)

OWNER: Ms. Helen Desroches

LAND: 3 Laurendale Avenue
Waterdown, Ontario

SUMMARY OF SUBMISSION:

This submission is the result of a request by the Niagara Escarpment Commission to change the proposed designation on this property from Escarpment Rural to Urban Centre - Outer Area.

This submission concurs with the proposed change.

RECOMMENDATION:

That this property be designated Urban Centre.

REASONS:

This was to correct a mapping error.

FILE NO. 200-24

SUBMISSION NO. 116
(Written Only)

OWNER: Taro Properties Incorporated

LAND: Town of Stoney Creek

SUMMARY OF SUBMISSION:

The change in designation from Urban Centre to Mineral Resource proposed by the Niagara Escarpment Commission is to correct a mapping error. There is a licenced pit on the property.

The submission by the owner is in accord with the change suggested.

RECOMMENDATION:

That this property be designated Mineral Resource.

REASONS:

To correct a mapping error.

FILE NO. S 200-44 SUBMISSION NO. 604

AGENT: Murray Pound, Planning Consultant

OWNER: Watergate Investments Limited

LAND: Part Lot 12, Concession 3
Township of Flamborough

SUMMARY OF SUBMISSION:

This submission concerns some 64 acres located on the south side of Highway 5 just east of Highway 6 and is proposed to be designated Urban Centre and Escarpment Protection Area. It requested that the Proposed Plan be modified to allow industrial development on these lands in conformity with the Regional official plan.

EXHIBITS:

505. Alternative 1, Industrial and Commercial Land Use Proposal, Watergate Holdings, south of Highway 5, Township of Flamborough, Regional Municipality of Hamilton-Wentworth. Montague Pound Associates Limited, Planning Consultants.

506. Air photo showing property of Watergate Investments Limited, Part Lot 12, Concession 3, Township of Flamborough, Regional Municipality of Hamilton-Wentworth.

RECOMMENDATION:

None.

REASONS:

In Submission 78 (Regional Municipality of Hamilton-Wentworth) we have recommended that these lands as well as others be changed to Urban Centre since it properly rounds out the Urban Centre designation in this area.

FILE NO. S 200-47

SUBMISSION NO. 605

OWNER: R.T. Sherwin

LAND: Part Lots 23 and 24, Concession 2
Part Lot 23, Concession 3
Township of Flamborough

SUMMARY OF SUBMISSION:

This submission deals with 78 acres of land in the above ownership designated as Escarpment Protection. The owner objects to the "Protection" designation on his lands and wants them removed from the Proposed Plan to facilitate their development.

EXHIBIT:

507. Air photo showing property of R.T. Sherwin, Part Lots 23 and 24, Concession 2 and Part Lot 23, Concession 3, Township of Flamborough, Regional Municipality of Hamilton-Wentworth.

RECOMMENDATION:

The Proposed Plan be modified by deleting the subject lands therefrom.

REASONS:

On the basis of the evidence adduced we are of the opinion the only reason for the inclusion of these lands in the Plan was to provide absolute continuity.

FILE NO. S 200-48 SUBMISSION NO. 606

OWNER: Celeste Iacobelli

LAND: Part Lot 10, Concession 1
Township of Flamborough

SUMMARY OF SUBMISSION:

Mr. Wayne Green and Mr. Robert J. Miller appeared on behalf of Mr. Celeste Iacobelli. It appears that any difficulty which may have been contemplated in this submission has been resolved because the lands are contained within the Minor Urban Centre designation.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. S 200-45 SUBMISSION NO. 607

AGENT: John Ellis, Chairman

GROUP: Save the Valley Committee

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the proposed Red Hill Creek Expressway and the objectives of the Proposed Plan and made the following recommendations:

1. That the Red Hill Creek Valley be designated a Provincially Significant Nature Area, pursuant to Section 4.6 and included on Map D.
2. That as a result of the designation, the permitted uses under Section 2.6.2 (a) of the Proposed Plan be amended by adding No. 6 "except the proposed Red Hill Creek Expressway".
3. That in order to ensure the Red Hill Creek Valley and Marsh designation as a Provincially Significant Area, they should be included in Section 3.4 (Future Acquisitions) and Section 3.7 as a proposed Escarpment Park. As a park, it would connect to Mount Albion Natural Environment Recreation Park and provide a unique and significant recreational and conservation area for the Region and the Province.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

SUBMISSION NO. 675

FILE NO. S 200-46

OWNER: Dundana Homes Limited

LAND: Rorke Hills Subdivision
Town of Dundas

SUMMARY OF SUBMISSION:

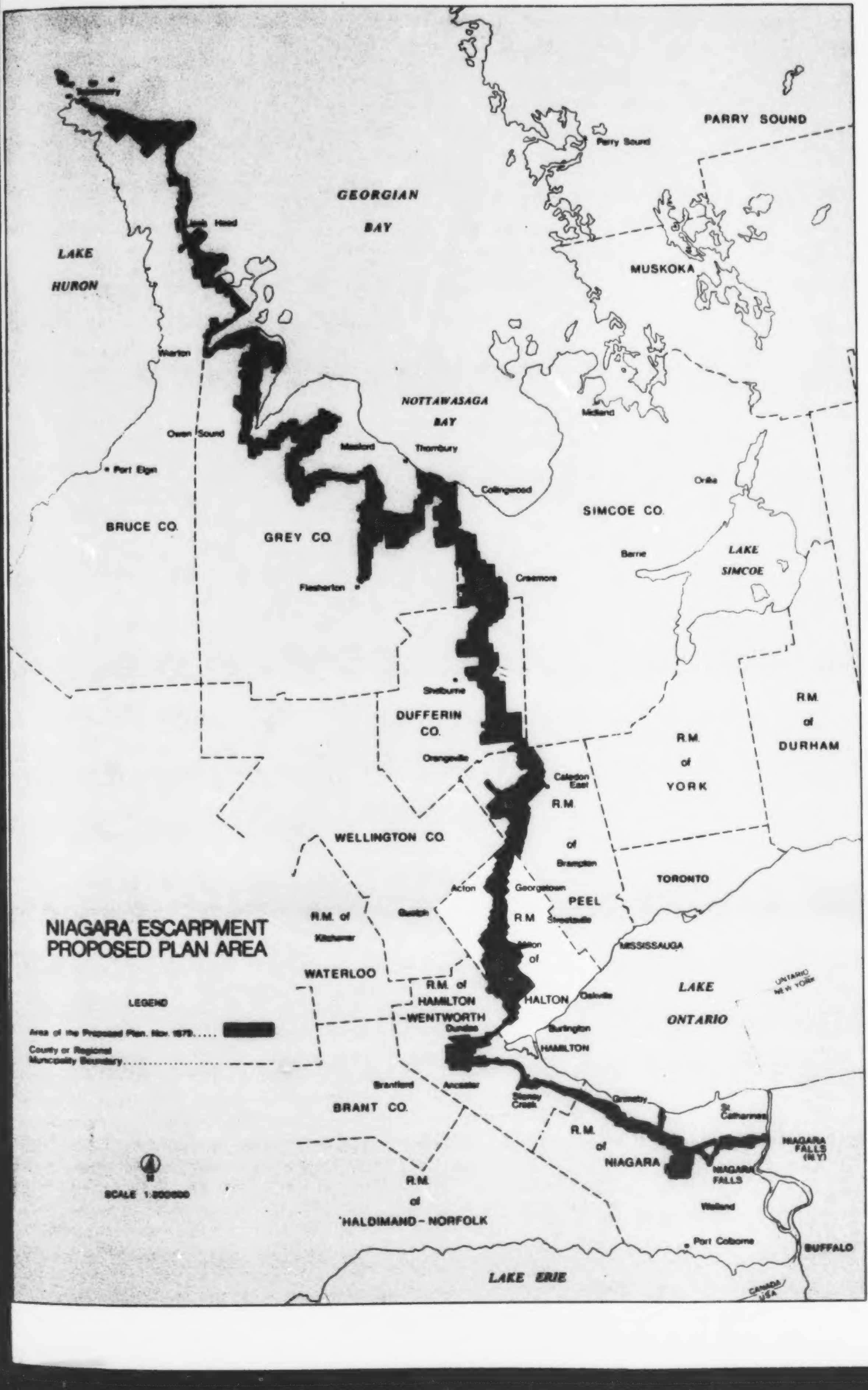
This application concerned a subdivision which has already been approved and the plan is now being implemented. The Proposed Plan designates a part of the area as Escarpment Natural and the company fears that some buyers may be hesitant. They contend the map should be amended to move the "Natural" line back to the Canadian National Railway tracks because the balance of the property is Urban Centre.

RECOMMENDATION:

That the whole of the subject property be designated Urban Centre.

REASONS:

In this particular instance the railway tracks make a logical boundary.


NIAGARA ESCARPMENT PROPOSED PLAN AREA
LEGEND
Area of the Proposed Plan, Nov. 1979.....
County or Regional Municipality Boundary.........
SCALE 1:200000
N
Tobermory
LAKE HURON
Lions Head
GEORGIAN BAY
Wiarton
Owen Sound
Port Elgin
BRUCE CO.
GREY CO.
Flesherton
Meaford
Thornbury
NOTTAWASAGA BAY
Collingwood
Creemore
Midland
PARRY SOUND
Parry Sound
MUSKOKA
SIMCOE CO.
Orillia
Barrie
LAKE SIMCOE
Shelburne
DUFFERIN CO.
Orangeville
Caledon East
R.M. of Brampton
PEEL
R.M. of YORK
R.M. of DURHAM
TORONTO
WELLINGTON CO.
Acton
Georgetown
Guelph
Streetsville
R.M. of Kitchener WATERLOO
R.M. Milton of HALTON
MISSISSAUGA
Oakville
LAKE ONTARIO
ONTARIO NEW YORK
R.M. of HAMILTON -WENTWORTH
Dundas
Burlington
HAMILTON
Brantford
Ancaster
Stoney Creek
Grimsby
St Catharines
BRANT CO.
R.M. of NIAGARA
NIAGARA FALLS (N.Y.)
NIAGARA FALLS
Welland
R.M. of HALDIMAND - NORFOLK
Port Colborne
BUFFALO
LAKE ERIE
CANADA USA

PHASE II HEARING

THE

REGIONAL MUNICIPALITY OF HALTON

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

REGIONAL MUNICIPALITY OF HALTON

Name	File Number	Submission Number	Page Number
Ad Hoc Committee of Burlington Citizens	300-59	365	894
Aiken, John H.	300-61	360	888
Alpine Club of Canada	300-10	362	891
Bandi, Roman	300-57	358	885
Barac, Mirka	S 300-80	626	931
Barac, Stanko	S 300-80	625	930
Bayly, Mrs. Laura	S 300-109	650	955
Biason, Mrs. Mary	300-53	353	880
Biasuitti, Mr. and Mrs. L.	S 300-126	652	957
Bilton, Ken	S 300-71	610	915
Bilton, Marjorie	S 300-72	611	916
Book, George	300-49	346	872

Name	File Number	Submission Number	Page Number
Boycott, Mrs. Deborah	S 300-78	618	923
Bronder, Marianne	S 300-100	642	947
Burlington, City of	300-16	327	845
Casson, David	S 300-26	665	966
Cecile, Charles	300-54	331	854
Cedar Springs Community Club	300-8	332	855
Charlebois, J.P.	300-36	356	883
Chisholm, J.L.	300-51	347	873
Chornook, Mrs. V.	S 300-101	644	949
Coalition on the Niagara Escarpment	300-3	364	893
Credit Valley Conservation Authority	300-21	329	851
De Rycke, Guido	S 300-98	641	946
Devries, John	S 300-114	661	962
Devries, Mildred	S 300-115	662	963
Diamond, Mr. and Mrs. Phil	S 300-110	651	956
Di Pasquale, Zarrato and Pappais	S 300-64	672	972
Dodokin, Mrs. Gail S.	300-1	361	890
Duff, J. C. Limited	300-9	370	908
Dufferin Aggregates	300-30	367	897
Elsley W.B.	S 300-125	664	965
Esson, Mabel and Charles and Middlebrook, Edgar and Neil	S 300-66	674	974
Fairles, Mr. and Mrs. D. W.	S 300-105	646	951
Falls, Douglas J.T.	S 300-87	630	935

Name	File Number	Submission Number	Page Number
Falls, Jean	S 300-60	614	919
Federation of Ontario Naturalists	300-22	355	882
Focus Developments Limited	300-44	349	875
Foster, T.C.	S 300-127	669	970
Foundation for Aggregate Studies	300-55	363	892
Goldfan Holdings Limited	300-41	357	884
Greenfield, David	300-20	335	859
Halton Field Naturalists	300-7	339	863
Halton Hills, Town of	300-31	328	849
Halton Region Conservation Authority	300-45	369	903
Halton, Regional Municipality of	300-11	326	843
Harrison, Earle	S 300-77	617	922
Hewitt, Clarence	300-40	345	870
Hurren, Harold	300-14	341	865
Islington Investments Limited	300-19	350	876
Jurss, Alfred	300-42	354	881
Kenzie, James B.	S 300-94	637	942
Loach, Gerald K. and Lean, R.	S 300-65	673	973
Martin, Amos C. Ltd.	300-27	371	909
Medland, Dr. and Mrs. D.	S 300-113	660	961
Milton, Town of	300-35	372	910
Mitchell, John E.	300-37	343	868
Mohawk Quarries Limited	S 300-50	608	911

Name	File Number	Submission Number	Page Number
Mokrytzki, Boris	S 300-107	648	953
Mokrytzki, Steve	S 300-106	647	952
Mokrytzki, Vera V.	S 300-108	649	954
McDonell, Frances M.	S 300-73	613	918
McDonell, Martin J.	S 300-76	612	917
McFee, A.	S 300-70	667	968
McMeeken, Mr. and Mrs. R.C.	S 300-79	619	924
Ontario Rock Climbing Association	300-39	352	879
Ontario Trail Riders Association	300-43	338	862
O'Reilly, Mr. and Mrs. James	300-5	340	864
Pemberton, Jack D.	S 300-68	615	920
Penson, William F.	300-25	348	874
Prucyk, Mrs. and Mrs. Joseph	300-2	366	895
R. D. B. Building Products Ltd.	300-52	351	878
Reed, Mrs. J.	S 300-69	616	921
Reed, Laurie E.	S 300-121	663	964
Rice and McHarg Limited	S 300-62	653	958
Samuel Roy Enterprises	300-56	342	866
Sheldon, Mrs. Pamela	S 300-104	645	950
Shepherd, Ronald and Jeanne	S 300-124	676	975
Smith, Derek	S 300-112	658	959
Smith, Pam	S 300-111	659	960
Spaldin, Mr. and Mrs. Barry	S 300-82	627	932
Speyside Area Ratepayers Association	S 300-58	609	913

Name	File Number	Submission Number	Page Number
Standard Industries Limited	300-17	368	899
Swan, Lois M.	S 300-96	639	944
Swan, J. A.	S 300-95	638	943
Symmes, L.R.L.	300-48	344	869
Toccalino, A.J.	S 300-97	640	945
Toccalino, Carlo F.	S 300-117	621	926
Toccalino, Carlo T.	S 300-117	620	925
Toccalino, Mrs. Jeanette	S 300-123	624	929
Toccalino, Kearen	S 300-99	643	948
Toccalino, Louis	S 300-118	622	927
Toccalino, Michael	S 300-119	623	928
Toronto Bruce Trail Club	S 300-29	666	967
Toronto Field Naturalists Club	S 300-32	668	969
Towsley-Ward Investments Inc.	300-12	330	853
United Ceramics Limited	300-28	336	860
Van Sickle, Barbara	S 300-84	628	933
Van Sickle, Fred	S 300-85	629	934
Vaughan, J. Bryan and Dorothy Truax	300-34	359	886
Verrico, Capibianco and Cassala	S 300-63	671	971
Walton, Andrew	S 300-91	634	939
Walton, Barbara	S 300-92	635	940
Walton, David	S 300-93	636	941
Walton, Miss Gloria	S 300-90	633	938
Watkins, Mrs. Janet	300-15	334	858

Name	File Number	Submission Number	Page Number
Whaley, Catherine	300-18	333	857
Wood, Janet M.	S 300-89	632	937
Wood, Kenneth	S 300-88	631	936
Zohoruk, Harry	300-13	337	861

PHASE II

GENERAL STATEMENT

REGIONAL MUNICIPALITY OF HALTON

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the Region of Halton for which a hearing was held at Burlington together with a portion of the supplementary hearing held at Burlington consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 326 to 372 inclusive, 608 to 653 inclusive, 658 to 669 inclusive, 671 to 674 inclusive and 676.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 327, 349, 353, 368, 653, 669, 672, 673 and 674.

PHASE II

REGIONAL MUNICIPALITY OF HALTON

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 300-11 SUBMISSION NO. 326

COUNSEL: Kenneth Anderson and Robert Christie

GROUP: Regional Municipality of Halton

SUMMARY OF SUBMISSION:

The submission by the Regional Municipality of Halton was made in two parts both very extensive and in support of the Proposed Plan with certain proposals for change. At page 18 of the first paper given by a senior planner, it is stated that this is a summary of the concerns presented at the Ancaster and Owen Sound hearings, so it is not necessary to again reiterate them.

The second paper outlines the Halton Environmentally Sensitive Areas and how they were selected. Pictures were shown to illustrate some of the locations and the criteria applied by Halton in its selection for inclusion in its official plan. Halton would like the criteria for Escarpment Natural Areas in the Proposed Plan to be more extensive than it is in keeping with the Halton Environmentally Sensitive Areas. On a map of the Niagara Escarpment Planning Area in Halton certain hatched areas where a portion of the Environmentally Sensitive Areas exists should be designated Escarpment Natural Area.

Each Environmentally Sensitive Area was reviewed by the municipality and it is noted that the boundaries of the Commission's Escarpment Natural lands are with a few exceptions consistent with those of the Halton Environmentally Sensitive Areas. Where inconsistencies are evident the Region would like the Escarpment Natural designation extended to strengthen the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission really supported the Proposed Plan and suggested some alterations that we have thoroughly considered and are of the opinion that the suggestions would not significantly add to the Proposed Plan.

FILE NO. 300-16 SUBMISSION NO. 327

COUNSEL: Gordon Grechulk

GROUP: City of Burlington

SUMMARY OF SUBMISSION:

This submission recommends as follows for areas as set out in Exhibit 206 in these proceedings:

1. The City recommends the Escarpment Natural Areas designation replace the Escarpment Rural Areas designation along Limestone Creek (Area 1 a).
2. The City recommends the Escarpment Natural Areas designation replace the Escarpment Protection and Escarpment Rural designations along Bronte Creek and along the valley lands west of Cedar Springs Road (Area 1 b).
3. The City recommends the Escarpment Natural Areas designation replace the Escarpment Protection Areas designation from Guelph Line to Cedar Springs Road (Area 1 c).
4. The City recommends the Escarpment Natural Areas designation replace the Escarpment Protection Areas designation around Mount Nemo (Area 1 d).
5. The City of Burlington also recommends that since one of the priorities of this Plan is the protection of the Escarpment ridge itself, this ridge should then be identified on the final Niagara Escarpment Plan maps (Area 1 d).
6. The City recommends the Escarpment Protection Areas designation replace the Escarpment Rural Areas designation west of Cedar Springs Road (Area 2 a).

7. The City recommends the Escarpment Rural Areas designation replace the Escarpment Protection Areas designation along Britannia Road (Area 3 a).

8. The City recommends the Escarpment Rural Areas designation replace the Escarpment Protection Areas designation along and near Blind Line (Area 3 b).

9. The City of Burlington recommends that the Escarpment Protection Areas boundary be moved eastward from Mount Nemo Crescent and be replaced by the Escarpment Rural Areas designation (Area 3 c).

10. The City of Burlington recommends that the Escarpment Protection Areas designation be replaced by an Escarpment Rural Areas designation near the Village of Kilbride (Area 3 d).

11. The City of Burlington recommends that the Minor Urban Centre designation - Alfred Harris Gardens located at No. 2 Sideroad and Cedar Springs Road, be deleted from the map.

12. The City recommends that Lake Medad be acquired as a future Nature Reserve Park.

13. The City recommends that the undeveloped areas on slopes of the Escarpment in the Mount Nemo area be acquired and preserved for recreational purposes.

EXHIBITS:

205. Curriculum Vitae - Mr. Liaquat M. Siddiqui

206. An area map showing the Niagara Escarpment Commission Proposed Plan within the City of Burlington with an overlay indicating proposed changes by the City of Burlington.

RECOMMENDATIONS:

1. None.
2. None.
3. None.
4. None.
5. None.
6. None.
7. None.
8. None.
9. None.
10. None.
11. That the Minor Urban Centre designation for Alfred Harris Gardens be deleted.
12. None.
13. None.

REASONS:

1. This is a link only and not included in a Halton Environmentally Sensitive Area and we are of the opinion that this requested change should not be recommended.
2. We are of the opinion that this area has been properly designated in the Proposed Plan.
3. We are of the opinion that this area has been properly designated in the Proposed Plan.
4. We are of the opinion that this area has been properly designated in the Proposed Plan.
5. The Proposed Plan does not indicate the location of

the scarp in any area.

6. We are of the opinion that this area has been properly designated in the Proposed Plan.
7. We are of the opinion that this area has been properly designated in the Proposed Plan.
8. We are of the opinion that this area has been properly designated in the Proposed Plan.
9. We are of the opinion that this area has been properly designated in the Proposed Plan.
10. We are of the opinion that this area has been properly designated in the Proposed Plan.
11. This is a minor amendment and will not affect the Proposed Plan in any way.
12. The subject of acquisitions has been dealt with elsewhere in this report.
13. The subject of acquisitions has been dealt with elsewhere in this report.

FILE NO. 300-31 SUBMISSION NO. 328

COUNSEL: Thomas Anderson

GROUP: Town of Halton Hills

SUMMARY OF SUBMISSION:

The submission made, indicates 29% of the total area of the Town of Halton Hills is encompassed in the Proposed Plan. Most of the concerns of the Town raised following the Preliminary Proposals have been addressed by the Commission, but there are still some concerns.

The Town is satisfied with the permitted uses of the Plan, save for wayside pits and these should not be permitted in the designations proposed. It notes that this use is permitted in the Plan's Escarpment Rural Areas and also in the Town's Rural Areas as indicated in its official plan. Should this use remain in the Escarpment Protection Areas and Escarpment Rural Areas the Town requests strict control with substantial municipal involvement in the approval process. An asphalt plant should not be an accessory use where it would affect the natural environment, especially in the Escarpment Protection Area. The Town is concerned about the implementation recommendations of the Proposed Plan. Delegation for approvals should be further delegated to both Town and Region since at present planning approvals are joint endeavours. More input is sought by the Town when the implementation procedure is decided.

The Town of Halton Hills has considered the designations in the Proposed Plan with respect to the Standard Industries site and has considered the designations as appropriate.

EXHIBIT:

207. Curriculum Vitae - Mr. M.P. Venditti

RECOMMENDATION:

None.

REASONS:

The general recommendations in this submission are dealt with elsewhere in this report and as far as the recommendation re Standard Industries site is concerned, this is dealt with in Submission 368 (Standard Industries Ltd.).

FILE NO. 300-21 SUBMISSION NO. 329

AGENT: Rose Menyes, Senior Conservation Planner

GROUP: Credit Valley Conservation Authority

SUMMARY OF SUBMISSION:

This submission made the following recommendations in connection with park names:

Re Section 3.7 of the Proposed Plan:

No. 76 Terra Cotta South - change to Terra Cotta Conservation Area

No. 77 Silver Creek - change to Silver Creek Conservation Area

No. 78 Limehouse - change to Limehouse Conservation Area

This submission also made several recommendations requesting that the Proposed Plan include reference in several sections that Conservation Authority approval is also required. The following sections are referred to in this regard:

2.9.1 - No. 4 - Existing Uses

2.9.4 - No. 1 - New Development Adjacent to Streams, Lakes & Wetlands

2.9.4 - No. 3 - New Development Adjacent to Streams, Lakes & Wetlands

2.9.5 - Numbers 1 to 7 - New Development Adjacent to Ravines

In addition, the submission also made the following recommendations:

2.9.5 - Definition of "Ravine" should be included in the Plan.

2.9.6 - No. 3 - All slopes should be included and not just those in excess of 25%.

2.9.9 - Issue of enforcement should be addressed.

2.9.11 - No. 3 - The term "carrying capacity" should be properly defined or deleted.

2.9.13 - Consideration should be given to including an overlay with designations for Mineral Aggregate Areas expected to be depleted and/or rehabilitated within the term of the Proposed Plan.

Further concern was expressed that the Proposed Plan did not properly take into account the land acquisition programme of the Authority and it was recommended that consideration be given to re-evaluating the "Future Acquisition" section of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

As far as the change in names is concerned we leave this to the good judgement of the Niagara Escarpment Commission and the Conservation Authority.

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 300-12 SUBMISSION NO. 330

AGENT: Alan H. Towsley

OWNER: Towsley-Ward Investments Inc.

LAND: Part Lot 8, Concession 2 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

The lands involved in this submission consist of 62.5 acres of vacant land situated in the settlement of Kilbride and are designated Escarpment Protection in the Proposed Plan. According to Mr. Towsley these lands are the subject of an active proposed plan of subdivision and presently are awaiting a City of Burlington Secondary Plan for the settlement of Kilbride. It is requested, by this submission, that the subject lands proposed designation be changed from Escarpment Protection to Escarpment Rural. The City of Burlington also recommended this change in Submission 327. The evidence of Towsley in this submission was to the effect that the subject lands are suitable for development and that the scarp is some 600 to 800 feet away and is perhaps buried some 80 feet.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that these lands are properly designated and in any event if our recommendation concerning rural low density subdivisions in the Escarpment Protection designation is concurred with then the possibility of development of these lands is open.

FILE NO. 300-54 SUBMISSION NO. 331

OWNER: Charles Cecile

SUMMARY OF SUBMISSION:

This submission did not refer to any specific lands in this sector but was in support of the Proposed Plan as it pertains to the Regional Municipality of Halton even though in Mr. Cecile's opinion not enough land has been included in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-8 SUBMISSION NO. 332

COUNSEL: David R. Lee, Q.C.

OWNER: Cedar Springs Community Club

LAND: Part Lot 7, Concession 1 N.S.
Part Lots 6, 7 and 8, Concession 2 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

The subject lands consist of some 395 acres on Cedar Springs Road south of Kilbride on which there are 12 permanent residences and 71 seasonal cottages. The lands are designated Escarpment Natural and Escarpment Protection in the Proposed Plan. This submission requests that the designation be changed to Escarpment Recreation to allow provision for the development of 11 new cottages.

The subject lands are adjacent to the lands in Submission 330 (Towsley-Ward Investments Inc.) and are contained in Amendment No. 81 of the local official plan as well. The City of Burlington in its submission (No. 327) supports the request. A planner for the Region of Halton gave evidence that the addition of 11 lots would be in conformity with the Region's official plan. Under the Region's official plan these lands are in an Environmentally Sensitive Area and therefore an Environmental Impact Study would be required.

EXHIBIT:

208. Air photo showing property (outlined by red line) of the Cedar Springs Community Club, City of Burlington, Regional Municipality of Halton, as defined by Planistics Group, Hamilton, Ontario. Scale: 1:5000 with Legend and two overlays.

RECOMMENDATION:

None.

REASONS:

We are of the opinion on the basis of the evidence adduced that the lands are properly designated and if our recommendation concerning low density subdivisions in the Escarpment Protection designation is concurred with then the application for development of a portion of the subject lands could be made.

FILE NO. 300-18 SUBMISSION NO. 333

OWNER: Miss Catherine Whaley

SUMMARY OF SUBMISSION:

This submission was made by Catherine Whaley a student at Milton District High School and was in general support of the Proposed Plan with particular reference to development control as being the best method of implementation. Miss Whaley's real concern appeared to be making sure that the Town of Milton's development did not expand.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 300-15 SUBMISSION NO. 334

OWNER: Mrs. Janet M. Watkins

LAND: Part Lot 10, Concession 5 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

The subject property consists of some 2.5 acres and is designated Escarpment Rural in the Proposed Plan and Mrs. Watkins would prefer that the designation be Escarpment Protection.

This submission was in general support of the Plan and in addition does not want any expansion of quarries in the Regional Municipality of Halton.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-20 SUBMISSION NO. 335

OWNER: David Greenfield

LAND: Part Lot 10, Concession 5 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan but would also like to see more technical input into the development permit procedure so that more environmental expertise is applied.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-28 SUBMISSION NO. 336

COUNSEL: Philip L. Sanford

OWNER: United Ceramics Limited

LAND: Part Lot 14 and 15, Concession 1 N.S.
Town of Milton

SUMMARY OF SUBMISSION:

The subject lands designated Escarpment Rural contain readily exploitable deposits of shale and in line with the evidence presented by the Toronto Brick Company (a division of United Ceramics Limited) is necessary for the long range operations of the Company.

This submission requested that the subject lands, which have been owned by the Company for over 60 years, be excluded from the Proposed Plan or in the alternative that the Proposed Plan be amended to recognize the subject lands as a Mineral Resource Area.

The Region of Halton Official Plan shows the subject lands as being a Mineral Resource Protection Area.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with elsewhere in this report and if our recommendation to identify Mineral Resource Protection Areas is concurred with, then this property will be so identified.

FILE NO. 300-13 SUBMISSION NO. 337

OWNER: Harry W. Zohoruk

LAND: 4001 Guelph Line
City of Burlington

SUMMARY OF SUBMISSION:

This submission was concerned with severance policies contained in the Proposed Plan. The evidence submitted was that a proposed severance had not been approved by the Ontario Municipal Board.

The applicant herein recommended that where the scarp severs a piece of land into two parts that there be a policy established that such a parcel could be divided and would not be in contravention of the new lot policies contained in the Proposed Plan.

EXHIBIT:

209. Air photo showing property of Harry W. Zohoruk, Lot 15, Concession 2, City of Burlington.

RECOMMENDATION:

None.

REASONS:

We are of the opinion based on the evidence, that this land is properly designated and should remain in the Proposed Plan.

FILE NO. 300-43

SUBMISSION NO. 338

AGENT: Fred Bell

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-7 SUBMISSION NO. 339

AGENT: Albert Bisschop, President

GROUP: Halton Field Naturalists

SUMMARY OF SUBMISSION:

This submission expressed strong support for the Proposed Plan in the Regional Municipality of Halton.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-5 SUBMISSION NO. 340

OWNER: Mr. and Mrs. James O'Reilly

LAND: Part W 1/2 Lot 14, Concession 1
Town of Milton

SUMMARY OF SUBMISSION:

The submission concerns 7.8 acres of land located as above. It is in the Escarpment Protection Area, and it is alleged the property has nothing to do with the Escarpment or is of no Provincial interest. Owners want to be excluded from the Proposed Plan.

EXHIBIT:

210. Air photo showing property of Mrs. S. O'Reilly, Part W 1/2 Lot 14, Concession 1, Town of Milton.

RECOMMENDATION:

None.

REASONS:

This property, on the basis of the evidence, is properly designated and should remain in the Proposed Plan.

FILE NO. 300-14 SUBMISSION NO. 341

OWNER: Harold Hurren

LAND: Part W 1/2 Lot 14, Concession 1
Town of Milton

SUMMARY OF SUBMISSION:

This applicant is the former owner of part west half of Lot 14, Concession 1, dealt with under Submission 340 (Mr. and Mrs. James O'Reilly). He no longer retains any property, but has an interest in the above described lands and other parts of Lot 14. It is his request that the lands be deleted from the Proposed Plan and failing this be placed in the Escarpment Rural designation.

RECOMMENDATION:

None.

REASONS:

This property, on the basis of the evidence, is properly designated and should remain in the Proposed Plan.

FILE NO. 300-56 SUBMISSION NO. 342

AGENT: Donald May and Associates Limited

OWNER: Samuel Roy Enterprises

LAND: 42 acres West of Twiss Road between
Sideroad 8 and Kilbridge Street
8 acres in Lowville - west of Guelph Line and
south of Sideroad 8
City of Burlington

SUMMARY OF SUBMISSION:

The purpose of the submission is as follows:

1. To clarify the status of the Kilbride and Lowville settlement boundaries.
2. To state that the Minor Urban Centres section is unworkable due to the arbitrary requirements.

The main concern here is delay whereby the lands as above stated are frozen until secondary plans are completed.

The following requests were made in this submission:

1. The settlement boundaries approved in Official Plan Amendment No. 81 to the Burlington Planning Area Official Plan be the settlement boundaries for Kilbride and Lowville.
2. That the term "Secondary Plan" be deleted from the Proposed Plan.
3. Delete the ability for the list of Minor Urban Centres to be changed without amendment to the Proposed Plan.
4. The hearing officers of the Niagara Escarpment Proposed Plan Hearing should recognize that once the Proposed Plan for the Niagara Escarpment is approved -

landowners will be subject to approved arbitrary growth in the Niagara Escarpment Commission Plan objectives that cannot be quantified and require subjective interpretation. The approval of this official plan will require the Region and local official plans to be brought into conformity.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 300-37 SUBMISSION NO. 343

OWNER: John E. Mitchell

LAND: Lot 27, Concession 10
Town of Halton Hills

SUMMARY OF SUBMISSION:

The above owner resides on the subject property which is located adjacent to the location of the Bruce Trail. He has never experienced any of the vandalism reported by others on parts of the trail. The submission is fully in accord with the Proposed Plan and points out development control is the best way to preserve an irreplaceable Provincial feature.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-48 SUBMISSION NO. 344

OWNER: L.R.L. Symmes

LAND: Part Lot 32, Concession 11
Town of Halton Hills

SUMMARY OF SUBMISSION:

The applicant's home is erected on his late father's pasture farm in the northeast corner of Halton Region, designated Escarpment Rural in the Proposed Plan.

He is fully in support of the Proposed Plan and its objectives.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-40 SUBMISSION NO. 345

COUNSEL: W. Gall

OWNER: Clarence Hewitt

LAND: Part Lot 8, Concession 2 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

The lands in this submission, some 20.127 acres, are located close to the Kilbride area and are partly in the Escarpment Protection Area and a small part is in the Escarpment Natural designation. It is requested that the owners be permitted to develop the upper tableland portion of the holding in an open plan-type rural estate setting. Although the brief is extensive the applicant has summed up all the pertinent points as follows:

We wish our upper tableland to be designated Escarpment Rural because:

1. This allows the secondary plan studies to continue with the same objectives outlined in the Municipal Official Plan Amendment No. 81.
2. This position is supported in Burlington's submission (No. 327) before your hearing.
3. Region has adopted, and therefore supports its area municipality and position.
4. Water and sewer capability studies indicate an excellent technical potential for our land in terms of water, sewers and no adverse effects on the existing wells.
5. Such redesignation would not harm the Niagara Escarpment Commission objectives, as low density estates with properly grouped housing units and open space down the centre will still allow a full view of the tree line to the south.

EXHIBITS:

211. Air photo showing property of Clarence Hewitt, Part Lot 8, Concession 2 N.S., City of Burlington.

RECOMMENDATION:

None.

REASONS:

If our recommendation permitting low density subdivisions in the Escarpment Protection designation is concurred with then application may be made for development on the subject lands which we are of the opinion are properly designated.

FILE NO. 300-49

SUBMISSION NO. 346

OWNER: George Book

LAND: E 1/2 Lot 20, Concession 4
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject land is designated Escarpment Protection although it is located a few hundred yards north of a Mineral Resource Area. He requests he be given an Escarpment Rural designation.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 300-51 SUBMISSION NO. 347

OWNER: J.L. Chisholm

LAND: Part Lot 5, Concession 6
Town of Milton

SUMMARY OF SUBMISSION:

This owner has approximately 50 acres which has always been used agriculturally by the family dating back to 1802. It is still being so used but over the years it has decreased to the present size. Between the Provincial Government taking for Highway 401 and later road widening over 100 acres was taken from the original holding. The Proposed Plan designates the land as Escarpment Protection and the owner wants the Escarpment Rural designation in accord with the designation just to the east of him. In 179 years his family has never sold a lot but some time he may require one should it be needed for a member of the family to carry on the business of breeding champion livestock.

EXHIBIT:

212. Air photo showing property of J.L. Chisholm,
Part Lot 5, Concession 6, Town of Milton.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated.

SUBMISSION NO. 348

FILE NO. 300-25

AGENT: Patrick Sweet, Planning Consultant

OWNER: William F. Penson

LAND: Part W 1/2 Lot 23, Concession 8
Town of Halton Hills

SUMMARY OF SUBMISSION:

The above mentioned lands are some 18 acres in extent designated as Escarpment Rural in the Proposed Plan and containing a farm equipment building thereon. An aerial map contained in the brief shows clearly delineated the existing industrial, commercial, institutional and residential uses, as well as committed industrial by Niagara Escarpment Commission permit to the immediate north of the subject farm equipment building.

It is requested that these lands be excluded from the Proposed Plan.

EXHIBIT:

213. Air photo showing property of William F. Penson, Lot 23, Concession 8, Town of Halton Hills.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 300-44 SUBMISSION NO. 349

COUNSEL: Peter McWilliams, President

OWNER: Focus Development Ltd.

LAND: Lot 11, Concession 1 New Survey
Town of Milton

SUMMARY OF SUBMISSION:

The subject property, some 73 acres, is located with frontage on the Derry Road and is immediately west of the Canadian National Railway tracks. It has a 10 inch watermain across the frontage and in the opinion of the owner is desirable industrial land. The Niagara Escarpment, he contends, is more than one mile away. It is requested that this rurally designated parcel be excluded from the Proposed Plan to fullfil its industrial potential.

RECOMMENDATION:

That the Proposed Plan be modified by deletion of the subject lands.

REASONS:

These lands were included in the Proposed Plan as being lands in the vicinity. During the hearing counsel for the Niagara Escarpment Commission advised us that the inclusion of these lands was a judgement call, and on the basis of the evidence adduced by the owner we are of the opinion that the deletion of these lands will not adversely affect the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. 300-19 SUBMISSION NO. 350

COUNSEL: Brian Corbett

OWNER: Islington Investments Limited

LAND: Part Lot 13, Concession 7 N.S.
Town of Milton

SUMMARY OF SUBMISSION:

The subject property comprises approximately 118 acres and is designated Escarpment Protection under the Proposed Plan. The evidence adduced by the applicant was that a permit to construct a golf course on the subject lands has been issued by the Niagara Escarpment Commission. The applicant also stated that there is at present estate development to the west and to the north of the subject property. The request in this submission is that the Proposed Plan be amended in a manner that would permit the development of perhaps up to eight estate residential lots which in the opinion of the planner giving evidence on behalf of the applicant would not be seen from the road because of the land contours.

EXHIBITS:

214. Curriculum Vitae - James R. Balfour

215. Air photo with two overlays showing property of Islington Investments, Town of Milton.

216. Air photo showing property of Islington Investments Limited, Part Lot 13, Concession 7 N.S., Town of Milton.

RECOMMENDATION:

None.

REASONS:

If our recommendation to permit low density rural estate subdivisions in the Escarpment Protection designation is concurred with an application may be made to allow such development on the subject lands.

FILE NO. 300-52 SUBMISSION NO. 351

COUNSEL: Richard Day

OWNER: R.D.B. Building Products Ltd.
(Milton Brick)

LAND: Lot 1, Concession 1 N.S.
Town of Milton

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Protection with a portion designated Mineral Resource Area under the Proposed Plan. There is at present an existing pit licence covering this portion which is estimated to have a lifetime of 20 to 25 years. The request of this submission is that the Mineral Resource Area designation be expanded to include the area adjacent to the existing plant which area previously had some extraction operations.

EXHIBIT:

217. Air photo showing property of R.D.B. Building Products Ltd., Part Lot 1, Concession 1, Town of Milton.

RECOMMENDATION:

None.

REASONS:

If our recommendation to identify Mineral Resource Protection Areas is concurred with then the subject lands should be so identified.

FILE NO. 300-39 SUBMISSION NO. 352

AGENT: David J. Moore, Vice President

GROUP: Ontario Rock Climbing Association

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan in so far as it pertains to the areas of the Escarpment that are designated Escarpment Natural and Escarpment Protection on Proposed Plan Map 3.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-53 SUBMISSION NO. 353

AGENT: Hamish Harrison

OWNER: Mrs. Mary Biason

LAND: Lot 10, Concession 1
Town of Milton

SUMMARY OF SUBMISSION:

The subject property comprises some 140 acres and is designated Escarpment Rural under the Proposed Plan. It is flat farmland about one mile from the base of the Escarpment slopes. The request of this submission is that these lands be removed from the Proposed Plan.

EXHIBIT:

218. Air photo showing property of Mrs. Mary Biason, Part Lot 10, Concession 1, Town of Milton.

RECOMMENDATION:

The Plan be modified by the deletion of the subject lands.

REASONS:

We are of the opinion, on the basis of the evidence adduced that the deletion of these lands will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 300-42

SUBMISSION NO. 354

OWNER: Alfred Jurss

LAND: West 1/2 Lot 2, Concession 3 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

The subject property is a 10 acre parcel and is designated Escarpment Rural under the Proposed Plan. The concern expressed by this submission was that, in the opinion of the applicant, the kind of development he has under consideration would not be permitted by the Proposed Plan. Mr. Jurss wishes to construct dwellings for his family and also to construct ponds. Mr. Jurss stated that he had made seven applications for development permits in the past four years and all had been refused.

RECOMMENDATION:

None.

REASONS:

In our opinion the evidence would indicate that these lands are properly designated.

FILE NO. 300-22 SUBMISSION NO. 355

AGENT: Stewart G. Hilts

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and made the following recommendations:

1. Aggregate extraction should be called an interim use and where such designations appear there should also be a designated future use.
2. "Essential transportation and utility facilities" should be deleted as a permitted use in the Escarpment Natural Areas.
3. More funds should be provided for public acquisition of lands.
4. More areas should be designated for acquisition priority.
5. Niagara Escarpment Commission should take active role in other areas not included in the Proposed Plan.
6. Private landowners are the best custodian of land in its natural state.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 300-36 SUBMISSION NO. 356

OWNER: J.P. Charlebois

SUMMARY OF SUBMISSION:

This submission was made by a non-owner of land in the area covered by the Proposed Plan and was in support of the Plan and further proposed that any modifications in the Region of Halton be along the guidelines set out in the submission by the Region of Halton.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-41 SUBMISSION NO. 357

AGENT: Miss Lucy Stocco, Development Manager -

OWNER: Goldfan Holdings Limited

LAND: West 1/2 Lots 25 and 26, Concession 4
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was made primarily to ascertain the location of the line separating the Escarpment Natural and Escarpment Rural designations in the Proposed Plan on the subject property.

EXHIBIT:

219. Map showing property owned by Goldfan Holdings Ltd., West 1/2 Lots 25 and 26, Concession 4 (Esquesing Township), Town of Halton Hills, with line indicating the division of the Escarpment Natural Area designation and the Escarpment Rural Area. F.J. Reinders and Assoc. Ltd., Brampton/St. Catharines.

RECOMMENDATION:

None.

REASONS:

The applicant is in agreement with Exhibit 219 dealing with the subject lands.

FILE NO. 300-57 SUBMISSION NO. 358

OWNER: Roman Bandi

SUMMARY OF SUBMISSION:

The submission by Mr. Bandi, a student at Lord Elgin High School in Burlington, was in support of the Proposed Plan as it affects the Regional Municipality of Halton but also expressed concern about the large portion of the Bruce Trail that is on roadways.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-34 SUBMISSION NO. 359

COUNSEL: John R. Willms

OWNER: J. Bryan Vaughan and Dorothy Truax Vaughan

LAND: West Part Lots 28 and 29, Concession 11
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject property consists of some 139 acres and is proposed to be designated Escarpment Protection and Escarpment Natural and is located immediately north of the property in Submission 360 (John H. Aiken). The request is to change the portion designated Escarpment Protection to Escarpment Rural to permit the development of estate lots. The change requested would cover some 10 acres of the subject lands.

EXHIBITS:

220. Air photo (1971) showing property of J. Bryan Vaughan and Dorothy Truax Vaughan. Existing General Land Use, Scale: 1:2500, June 1981. Walker Wright Young Assoc. Ltd.

221. Curriculum Vitae - Ian M. Hale

222. A report by Ian M. Hale. Physical Terrain Evaluation, Parts of Lots 27, 28 and 29, Concession 11, Esquesing Township, Town of Halton Hills. Bird & Hale Ltd., June 1981.

223. Air photo (1971) with colored overlays and markings: Physical Terrain Evaluation, Part of Lots 27, 28 and 29, Esquesing Township, Town of Halton Hills. Bird & Hale Ltd. Seven attached colour photographs. Study area boundary includes Submissions 359 - 300-34 and 360 - 300-61.

224. Curriculum Vitae - Miss Linda Hellas

225. A report by Linda Hellas. Biological Terrain Evaluation, Part of Lots 27, 28 and 29, Concession 11, Esquesing Township, Town of Halton Hills. Bird and Hale Ltd., June 1981.

226. Curriculum Vitae - Peter R. Walker

227. Series of 18 colored photographs keyed to Exhibit 220 - 300-34.

524. Air photo showing property of J. Bryan Vaughan and Dorothy Truax Vaughan, Part Lots 28 and 29, Concession 11, Town of Halton Hills (former Township of Esquesing) and the property of John H. Aiken, Part Lot 28, Concession 11, Town of Halton Hills, Regional Municipality of Halton.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning low density plans of subdivision being permitted in the Escarpment Protection designation is concurred with then application may be made for such development on the subject lands.

FILE NO. 300-61 SUBMISSION NO. 360

COUNSEL: John R. Willms

OWNER: John H. Aiken

LAND: West 1/2 Lot 28, Concession 11
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject property consists of some 40 acres located immediately south of the Vaughan property in Submission 359. This property is proposed to be designated Escarpment Protection. As in Submission 359, the request is to change the Escarpment Protection designation to Escarpment Rural.

EXHIBITS:

220. Air photo (1971) showing property of J. Bryan Vaughan and Dorothy Truax Vaughan. Existing General Land Use, Scale: 1:2500, June 1981. Walker Wright Young Assoc. Ltd.

221. Curriculum Vitae - Ian M. Hale

222. A report by Ian M. Hale. Physical Terrain Evaluation, Parts of Lot 27, 28 and 29, Concession 11, Esquesing Township, Town of Halton Hills. Bird & Hale Ltd., June 1981.

223. Air photo (1971) with colored overlays and markings: Physical Terrain Evaluation, Part of Lots 27, 28 and 29, Esquesing Township, Town of Halton Hills. Bird & Hale Ltd. Seven attached colored photographs. Study area boundary includes Submission 359 - 300-34 and 360 - 300-61.

224. Curriculum Vitae - Miss Linda Hellas

225. A report by Linda Hellas. Biological Terrain Evaluation,

Part of Lots 27, 28 and 29, Concession 11, Esquesing Township, Town of Halton Hills. Bird and Hale Ltd., June 1981.

226. Curriculum Vitae - Peter R. Walker

227. Series of 18 colored photographs keyed to Exhibit 220 - 300-34.

524. Air photo showing property of J. Bryan Vaughan and Dorothy Truax Vaughan, Part Lots 28 and 29, Concession 11, Town of Halton Hills (former Township of Esquesing) and property of John H. Aiken, Part Lot 28, Concession 11, Town of Halton Hills, Regional Municipality of Halton.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning low density plans of subdivision being permitted in the Escarpment Protection designation is concurred with then application may be made for such development on the subject lands.

FILE NO. 300-1 SUBMISSION NO. 361

COUNSEL: Ronald R. Dodokin

OWNER: Mrs. Gail S. Dodokin

LAND: Part Lot 30, Concession 10
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject lands comprise some 12 acres and are designated Escarpment Natural under the Proposed Plan. The property contains a large house, a small barn and a small cabin. Application for land severances have been refused. This submission requests that the subject lands be given a site specific exemption (removal from the Proposed Plan).

EXHIBITS:

228. Air photo showing property of Gail S. Dodokin, Part East 1/2 Lot 30, Concession 10, Town of Halton Hills, former Township of Esquesing.

229. Copy of topographic map: Georgetown Sheet 30N/12e, produced by the Survey & Mapping Branch, Department of Energy Mines & Resources (1974), Scale: 1:25000, showing property of Gail S. Dodokin.

RECOMMENDATION:

None.

REASONS:

These lands in our opinion on the evidence are properly designated and should remain in the Proposed Plan.

FILE NO. 300-10 SUBMISSION NO. 362

AGENT: Ted Rosen, Chairman
Toronto Section

GROUP: Alpine Club of Canada

SUMMARY OF SUBMISSION:

This submission supports the "idea of an organization such as the Niagara Escarpment Commission to control development, and ensure the protection of the Escarpment for future public access and enjoyment".

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-55 SUBMISSION NO. 363

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan as well as the submission made by the Regional Municipality of Halton (Submission 326).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-3 SUBMISSION NO. 364

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment (C.O.N.E.)

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and made the following comments and recommendations:

1. Supports the submission of the Regional Municipality of Halton (Submission 326).
2. Recommends that the Criteria 3 for Escarpment Natural Areas be amended to include regionally important nature areas.
3. In cases where part of an Environmentally Sensitive Area exists and which the Proposed Plan does not designate as Escarpment Natural that the designation be changed to Escarpment Natural.
4. Recommends that new aggregate extraction licences be restricted in Escarpment Natural and Escarpment Protection Areas.
5. Recommends that asphalt plants not be a permitted use in the Mineral Resource designation area.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 300-59

SUBMISSION NO. 365

AGENT: James A. Mitchell, Chairman

GROUP: Ad Hoc Committee of Burlington Citizens

SUMMARY OF SUBMISSION:

This submission "heartily" endorses the Proposed Plan in all its aspects.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-2 SUBMISSION NO. 366

COUNSEL: Stanley Udell

OWNER: Mr. and Mrs. Joseph Prucyk

LAND: Part West 1/2 Lot 24, Concession 7
Part West 1/2 Lot 23, Concession 7
Part West 1/2 Lot 24, Concession 8
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject lands comprise a total of approximately 153 acres and is designated Escarpment Natural and Escarpment Protection under the Proposed Plan and have been used for the past 20 years as a picnic ground by the general public. The owners propose to construct a lodge on the property together with several indoor and outdoor recreation facilities and request that the subject lands be designated Escarpment Recreation Area in order that their plans may be realized.

EXHIBITS:

230. Map showing symbol to indicate property of Mr. and Mrs. Joseph Prucyk as it relates to a wide region of Ontario.

231. Topographic map showing property of Mr. and Mrs. Joseph Prucyk in relation to the immediate surrounding area. Scale: 1:25000.

232. Air photo showing property of Mr. and Mrs. Joseph Prucyk, Town of Halton Hills. Scale: 1 inch = 200 feet.

233. Air photo showing property of Mr. and Mrs. Joseph Prucyk, Part Lots 23 and 24, Concession 7, former Township of Esquesing, Town of Halton Hills.

234. Copy of topographic map: Georgetown Sheet 30M/12e, produced by the Surveys and Mapping Branch, Dept. of Energy Mines and Resources (1974). Scale: 1:25000, showing property of Mr. & Mrs. Joseph Prucyk.

RECOMMENDATION:

None.

REASONS:

In our opinion the evidence indicates these lands are properly designated.

FILE NO. 300-30 SUBMISSION NO. 367

COUNSEL:	Robert W. Cosman and Deborah K. Bruce
OWNER:	Dufferin Aggregates (Division of Dufferin Materials and Construction Ltd.)
LAND:	Lots 7 - 12, Concession 7 (former Twp. of Nassagawega) Part of Lots 8 - 10, Concession 1 (former Township of Esquesing)

SUMMARY OF SUBMISSION:

The subject lands are covered by a "licence" and are designated Mineral Resource Area by the Proposed Plan and this submission was in support of that designation.

In addition the submission also dealt with an "Impact Assessment of a Rehabilitation Plan" for the subject lands.

EXHIBITS:

235. Curriculum Vitae - Alfred A. Sobanski

236. Air photo showing Dufferin Aggregates property and surrounding area with markings showing water basin. Also three overlays included:
    - (a) Overlay: hydrologic impact, partial excavation (Ian D. Wilson).
    - (b) Overlay: hydrologic impact, complete excavation (Marshall Macklin Monaghan).
    - (c) Overlay: showing proposed reservoir, stream course entrances, possible diversion, completed quarry, proposed outlet and diversion improvement.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 300-17 SUBMISSION NO. 368

COUNSEL: Burton H. Kellock, Q.C.

OWNER: Standard Industries Ltd.

LAND: Part Lots 11, 12, 13, 14 and 15
Concession 1, 2 and 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission made on behalf of Standard Industries Ltd. was prepared by consultants. These were Ecoplans Limited, Conestoga - Rovers and Associates Limited, W.E. Coates and Associates Ltd. and MacNaughton, Hermsen Planning Limited. The subject property known as the Speyside property consists of some 600 acres and was purchased in 1960 for the purpose of establishing a mineral aggregate extraction operation. The Proposed Plan places a portion of the lands in an Escarpment Natural designation and the remainder in Escarpment Rural. Standard wishes to have these designations remain but requests that the boundaries of each be altered. In this connection it is proposed that there is justification for the alteration of these boundaries based on the studies which are contained in the brief and were carried out by the professional consultants who were retained. The Ecoplans study covers several fields such as plant ecology, botany, fisheries, and forestry. The first study was done in 1972 but was supplemented by further studies in 1979 and 1980. It was pointed out that in the years 1979 and 1980 a total of 1,315 hours were spent on the study. The firm of Conestoga - Rovers and Associates Limited was retained to conduct a water resource evaluation of the property in October, 1979.

Ian MacNaughton, a qualified planner, first became involved with the subject site in 1972. His input into the study related to land use planning aspects of the site and working in conjunction with the other professional people involved as well as existing municipal regulations. He came to two main conclusions:

1. There is a need for a high priority mineral resource protection area designation as a matter of good planning and in response to Provincial policy; and
2. There should be no requirement for amendment to the Niagara Escarpment Proposed Plan in order to establish a mineral aggregate extraction operation in the Escarpment Rural Area, a principle endorsed by the Ministry of Natural Resources.

The request in this submission is to change the designation of a portion of the subject lands from Escarpment Natural to Escarpment Rural as shown on Tab 6 in the Standard Industries submission as filed.

EXHIBITS:

237. Niagara Escarpment Commission Proposed Plan Map 3, Regional Municipality of Halton. Additional markings placed on map by Ian MacNaughton, showing a portion of ESA 25 and a portion of CNR located outside of the Niagara Escarpment Proposed Plan along with a portion of ESA 29 (colored yellow).
238. Curriculum Vitae - Dr. Paul F. Maycock
239. Dr. Paul Maycock's field notes, dated April 22, 1981, Niagara Escarpment section of Standard Aggregate property, Speyside, Halton Region.
240. Dr. Paul Maycock's field notes (3 pages) 23S and 23N, dated June 16, 1981.
241. Dr. Paul Maycock's field notes No. 27 - unit on Standard Aggregate property, June 16, 1981.
242. Curriculum Vitae - Mr. U. Sibul
243. Air photo, part of the Region of Halton, showing Environmentally Sensitive Area. Designated (E.S.A. 29 - Speyside area and E.S.A. 25 - Hilton Falls area),

Ministry of Natural Resources licenced pit, proposed pit, public lands. Flown May 9, 1979 by Northway - Gestait Corporation. Exhibit submitted by the Halton Region Conservation Authority.

244. Curriculum Vitae - Brian R. Whitehead

245. Mineral Aggregate Transportation Study. Final report. Industrial Mineral Background Paper 1. Prepared for the Ministry of Natural Resources by Peat Marwick & Partners, M.M. Dillon Ltd., December 1980.

246. Mineral Aggregate Transportation Study. Summary. Industrial Mineral Background Paper 1 (a). Prepared for the Ministry of Natural Resources by Peat Marwick & Partners, M.M. Dillon Ltd., December 1980.

RECOMMENDATION:

That the Proposed Plan be modified by changing that portion of the Escarpment Natural designation area as shown delineated on the map under Tab 6 of the Standard Industries submission to Escarpment Rural.

REASONS:

The site specific evidence adduced by the applicant conclusively satisfied the panel that the change from Escarpment Natural to Escarpment Rural for a portion of the lands could be substantiated. It should be pointed out here that we are not recommending the approval of a mineral extraction area but rather reclassifying lands to a proper designation.

As far as the request to show this land as a high priority mineral resource protection area is concerned this matter is dealt with under our recommendations, comments and reasons in the general section of this report.

The panel is not prepared to accede to any further requests by

Standard Industries Ltd. arising from its submission.

FILE NO. 300-45 SUBMISSION NO. 369

COUNSEL: H.T. Arnold

GROUP: Halton Region Conservation Authority

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan except for certain mapping and textual revisions as follows:

In particular, the Halton Region Conservation Authority sets out the following specific recommendations for changes to the Land Use Designations on Map 3 of the Proposed Plan showing the Region of Halton filed under Halton Regional Conservation Authority Exhibit No. 247.

Land Use Designations

1. That the Escarpment Natural Area in the vicinity of Mount Nemo in Concession 4, N.S., of the City of Burlington be extended to the west to include the brow of the Niagara Escarpment to the point where it joins with the area already identified as Escarpment Natural Area, in the vicinity of Lake Medad.
2. That the Limestone Creek which is a tributary of the Twelve Mile or Bronte Creek be included in the Escarpment Natural Area. This Creek extends from the Bronte Creek south of Britannia Road to its headwaters in the Nassagaweya Canyon area north of Rattlesnake Point. Along with the Escarpment crossing Lots 1, 2 and 3, Concession 6, Nassagaweya, now Milton.
3. That the Sixteen Mile (or Oakville) Creek be included in the Escarpment Natural Area both east and west of the Kelso Reservoir.
4. That the Escarpment Natural Area include the headwaters of the Sixteen Mile (or Oakville) Creek in Lots 10 and 13,

Concession 7, Town of Milton (Nassageweya), where it passes through land identified under the Proposed Plan for mineral resources production.

Note: The Authority believes that this area is of such critical importance to its water management program that a special study as provided for under the Niagara Escarpment Plan should be implemented as soon as possible in order to resolve the Resource Management conflicts which presently exist and to insure the protection of critical headwater streams in this area of the Niagara Escarpment.

The lands shown for acquisition in the Niagara Escarpment Plan, if acquired, will not result in manageable public areas in certain cases. The boundaries must be redefined to reflect either geographical or political boundaries which will allow for servicing, access and some public use without damage to the sensitive environment being protected.

Lands Suggested for Acquisition by the Authority:

1. Lots 11, 12, 13, Concession 3, Town of Halton Hills (Esquesing)
   These lands are required in order to realize the recreational potential of the Scotch Block Reservoir owned by the Authority. At the present time, public access is restricted due to the fact that the Authority owns only those lands which are subject to flooding and in some instances, has only secured flood easements over private property.
2. Lot 10, Concession 5, Town of Milton (Nassagaweya)
   50 acres of land divided into ten acre building lots must be acquired to secure the Hilton Falls Conservation Area/Regional Forest Complex.
3. Lots 7, 8 and 9, Concession 4, Town of Milton (Nassagaweya)

This land is required in order to round out the Hilton Falls Conservation Area, to protect an environmentally sensitive area, and to maintain the west branch of the Sixteen Mile Creek in its natural condition.

4. Part of Lot 1, 2 and 3, Concession 6, Town of Milton (Nassagaweya)
   This land encompasses the headwaters of the Limestone Creek and is important to the Authority's water management program. In addition, this block is essential for the buffering of the Escarpment slopes at Kelso, and expansion of the Conservation Area itself.
5. Lot 1, Concession 4, Town of Milton (Nassagaweya)
   The property proposed for acquisition in the Niagara Escarpment Commission's Plan should be squared off to conform with the existing acquisition pattern for the Crawford Lake Conservation Area.
6. Lot 15, Concession 3, Town of Milton (Burlington)
   The Conservation Authority agrees with the acquisition of the ten acre parcel as indicated by the Commission's Plan.
7. Lot 11, 12 and 13, Concession 2, Town of Milton (Burlington)
   The lands suggested for acquisition should be enlarged to create a more manageable public area which will allow for servicing and access without damage to the environmentally sensitive lands.
8. Lot 14, Concession 4, Town of Milton (Burlington)
   The Authority agrees with the acquisition of these lands as indicated by the Commission's Plan.
9. Lot 12, Concession 5, Town of Milton (Burlington)
   The Conservation Authority feels that the lands as shown in the Commission's Plan are insufficient to insure proper protection of the Escarpment feature in this area and

allow for greater public use. The Authority recommends that all lands north of the No. 12 Sideroad in Concession 5 be acquired in order to round out the Rattlesnake Point Conservation Area.

10. Lots 1, 2 and 3, Concession 4, N.S., and Lots 12, 13 and 14, Concession 1, N.D.S., City of Burlington
    The lands identified for acquisition in the Commission's Proposed Plan are insufficient to properly protect the Escarpment brow and allow for public use at the same time. The lands the Authority would like to acquire have been identified in previous studies and their acquisition has been pursued unsuccessfully in the past.

The lands identified for acquisition by the Authority should be considered the minimum requirement, and thought should be given to acquiring additional lands in this area to service the needs of the Burlington community.

11. Lots 1 and 2, Concession 1, N.S., Lots 22, 23 and 24, Concession 2, N.D.S., City of Burlington
    The Conservation Authority considers Lake Medad and the Escarpment valley to the north to be particularly sensitive from an environmental point of view. The Authority presently owns 65 acres of similar land to the south-west of Lake Medad and would like to extend its holdings to include the Lake.

The Halton Region Conservation Authority recommends that the Mineral Resource Area as shown on the Commission's Plan in Concession 6 and 7, Town of Milton (Nassagaweya), and Concession 1, Town of Halton Hills (Esquesing) be reconsidered and that the quarry areas be subject to a special study prior to final adoption of the Commission's proposals in order that any environmental conflicts may be resolved.

The Halton Region Conservation Authority recommends that the lands identified as Mineral Resource Areas under the Commission's

Plan in Lots 11, 12, and 13, Concession 4, Town of Milton (Burlington) and such surrounding lands as have been subject to quarrying in the past be the subject of a special study in order to determine the highest and best afteruse for these properties and to determine what if any, modifications should be made in the areas designated for quarrying in order to protect existing environmentally sensitive areas.

EXHIBIT:

247. Niagara Escarpment Commission Proposed Plan Map 3. Regional Municipality of Halton, with overlay prepared by the Halton Region Conservation Authority showing the Authority's proposed acquisition.

RECOMMENDATION:

None.

REASONS:

The subject of acquisition has been dealt with elsewhere in this report.

As far as the other matters in this submission are concerned, we have attempted to deal with them elsewhere in this report.

FILE NO. 300-9 SUBMISSION NO. 370

COUNSEL: H.T. Arnold

OWNER: J.C. Duff Limited

LAND: Lot 23, Concession 5
Lot 27, Concession 7
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject lands are designated Escarpment Rural, Escarpment Protection and Escarpment Natural under the Proposed Plan and this submission did not disagree with those proposed designations. The only concern of this submission appears to be the requirement of the Proposed Plan that an amendment to the Plan would be necessary to open a gravel pit. In this connection the submission suggests that all licensing procedures for pits and quarries be simplified so that all required matters including the Niagara Escarpment Proposed Plan be dealt with at one hearing.

RECOMMENDATION:

None.

REASONS:

The matter of mineral resources has been dealt with elsewhere in this report, and the licensing procedure referred to does not fall within our jurisdiction.

FILE NO. 300-27 SUBMISSION NO. 371

AGENT: Nelson Martin

OWNER: Amos C. Martin Ltd.

LAND: East 1/2 of West 1/2 Lot 23, Concession 8
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject lands designated Escarpment Rural in the Proposed Plan contain some 41 acres of which 8 acres are licensed under the *Pits and Quarries Control Act*. Mr. Martin proposes, in the future, to request a licence for 22 more acres, however, he only intends to extract under 20,000 tonnes annually.

RECOMMENDATION:

None.

REASONS:

The Proposed Plan, if approved, will permit what is sought.

SUBMISSION NO. 372

FILE NO. 300-35

AGENT: R.J.L. Zsadanyi, Planning Director

GROUP: Town of Milton

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and points out two areas of concern to the Town of Milton:

1. "The Town's ability to be involved in the review and control of pit and quarry operations in those areas designated 'Mineral Resource'."
2. "The non inclusion of the Proposed Plan of a small parcel of land in Part Lot 10, Concession 1, formerly in the Town of Oakville."

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-50 SUBMISSION NO. 608

COUNSEL: Malcolm Martin

OWNER: Mohawk Quarries Limited

LAND: Included In Summary Below

SUMMARY OF SUBMISSION:

Mohawk Quarries Limited and San Diego Corporation are wholly owned subsidiaries of Fermar Paving Limited. San Diego owns approximately 44 acres on the east side of the Guelph Line just north of Highway 401 and immediately adjacent to Regional Road 9. Mohawk owns approximately 122 acres immediately to the east of the San Diego lands and Mohawk also owns two operating pits located to the south of the 122 acre site and immediately adjacent to Regional Road 9.

The subject lands are proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural and the property is also shown as a High Priority Mineral Resource Protection Area in Exhibit 100 (Submission G 700 NEC) as filed in these proceedings. This submission made the following recommendations:

(a) That the submissions made by the Aggregate Producers Association of Ontario and more particularly the "Addendum" thereto be adopted in their entirety;

(b) That the within property be deemed "areas which are in the process of being licensed" and designated as a mineral resource extractive area;

(c) In the alternative, that the within property be ommitted from the Niagara Escarpment Commission's jurisdiction.

(d) In the further alternative, that the proposed designations as shown on Map 2 be altered and the property be designated as mineral resource protection area in accordance with the "Addendum" to the A.P.A.O. submission.

EXHIBITS:

508. Niagara Escarpment Commission Proposed Plan Map 3. Regional Municipality of Halton, with additional markings by Malcolm Martin regarding Mohawk Quarries Limited property.

509. Curriculum Vitae - Dr. A.G. McLellan

510. Air photo showing property of Mohawk Quarries Limited and Campbellville Gravel Supply Limited, Lot 8, Concession 4, Town of Milton (former Township of Nassagaweya), Regional Municipality of Halton.

522. Topographic Analysis, Hilton Falls Complex, prepared by the Halton Region Conservation Authority.

523. Topographic analysis, Hilton Falls Complex, Halton Region Conservation Authority. Additional markings by Dr. A.G. McLellan to show a line at a 300 metre distance from the scarp, the line crossing a corner of the Mohawk Quarries subject property.

RECOMMENDATION:

None.

REASONS:

We are of the opinion, on the basis of the evidence, that the subject lands are properly designated and should remain within the Proposed Plan. As far as the general matters of this submission are concerned they are dealt with elsewhere in this report.

FILE NO. S 300-58 **SUBMISSION NO. 609**

AGENT: **Mrs. Pamela Sheldon**

GROUP: **Speyside Area Ratepayers Association**

SUMMARY OF SUBMISSION:

The brief for the above Association was presented by Mrs. Sheldon, a resident in the Speyside area for the past twelve years. It is in support of the Proposed Plan and the agent for the Association called several witnesses in support of her position. The main concern of the Association was the fear of mineral extraction being carried out in the future on the lands of Consolidated Sand and Gravel said to be parts of Lots 11 and 12, Concession 1 and part of Lot 12, and all of Lots 13 and 14, Concession 2, in the former Township of Esquesing, Town of Halton Hills. The Association opposes any change in land use designations as put forward by the company.

The submission deals at length with Bill 129 which provides for the preparation of the Proposed Plan and it was sought to show that any serious deviations from the provisions of the Proposed Plan would be tantamount to interference with the *Niagara Escarpment Planning and Development Act* itself and constitute a legislative change. Agreement is stated with the present development control process and its continuation and also in general the criteria supporting the various designations with slight exception. Endorsement is given to the Regional Municipality of Halton's brief (Submission 326) regarding aggregates and stresses the strict control of pits even if the removal of aggregate is under 20,000 tonnes annually.

EXHIBITS:

511. Map of Town of Halton Hills (Esquesing Rural Area) with additional red markings indicating properties of members of the Speyside Area Ratepayers

Association and markings indicating the property of Standard Aggregates Ltd.

512. Niagara Escarpment Commission Proposed Plan Map 3, Regional Municipality of Halton. Additional markings placed on map by the Speyside Area Ratepayers Association indicating the property of Standard Aggregates Limited.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-71 SUBMISSION NO. 610

OWNER: Ken Bilton

LAND: Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-72 SUBMISSION NO. 611

OWNER: Mrs. Marjorie Bilton

LAND: Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-76 SUBMISSION NO. 612

OWNER: Martin J. McDonell

LAND: Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-73 SUBMISSION NO. 613

OWNER: Frances M. McDonell

LAND: Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-60 SUBMISSION NO. 614

OWNER: Mrs. Jean Falls

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission expresses wholehearted support for the Proposed Plan in general and in particular the Halton Region area.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-68 SUBMISSION NO. 615

OWNER: Jack D. Pemberton

LAND: Lot 16, Concession 4 and 5
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although this submission is in support of the Proposed Plan it submits that the Plan is weak in many respects and cited the following among others:

1. Transportation and Utilities should be removed as a permitted use in the Escarpment Natural designation.
2. Wayside Pits as a permitted use should be deleted.
3. Aggregate extraction should be removed as a permitted use in the Escarpment Rural designation.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. S 300-69 SUBMISSION NO. 616

OWNER: Mrs. J. Reed

LAND: Part Lot 10, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan with particular reference to the preservation of forested areas and wetlands all along the Escarpment. It was also concerned with the request of Standard Industries Ltd. to have their property changed to Escarpment Rural.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-77 SUBMISSION NO. 617

OWNER: Earle Harrison

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and does not want any major changes to the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-78 SUBMISSION NO. 618

AGENT: Mrs. Pamela Sheldon

OWNER: Mrs. Deborah Boycott

LAND: Part Lot 17, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

In support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-79 SUBMISSION NO. 619

AGENT: Mrs. Pamela Sheldon

OWNER: Mr. and Mrs. R.C. McMeeken

LAND: Part Lot 16, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although the subject property is not within the Proposed Plan boundaries this submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-117

SUBMISSION NO. 620

AGENT: Mrs. Pamela Sheldon

OWNER: Carlo T. Toccalino

LAND: Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-117 SUBMISSION NO. 621

AGENT: **Mrs. Pamela Sheldon**

OWNER: Carlo F. Toccalino

LAND: Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-118 SUBMISSION NO. 622

AGENT: Mrs. Pamela Sheldon

OWNER: Louis Toccalino

LAND: Part Lot 13, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-119 SUBMISSION NO. 623

AGENT: Mrs. Pamela Sheldon

OWNER: Michael Toccalino

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-123

SUBMISSION NO. 624

AGENT: Mrs. Pamela Sheldon

OWNER: Mrs. Jeanette Toccalino

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-80 SUBMISSION NO. 625

OWNER: Stanko Barac

LAND: Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan's Escarpment Natural designation on the subject property and in the immediate area and opposed to any changes in the Speyside Area particularly in Standard Industries Ltd.'s property.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-80 SUBMISSION NO. 626

AGENT: Stanko Barac

OWNER: Mrs. Mirka Barac

LAND: Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan's Escarpment Natural designation on the subject property and in the immediate area and opposed to any changes in the Speyside Area particularly in Standard Industries Ltd.'s property.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-82

SUBMISSION NO. 627

AGENT: Kenneth Wood

OWNER: Mr. and Mrs. Barry Spaldin

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and does not want any major changes in the Speyside Area in particular.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-84 SUBMISSION NO. 628

AGENT: Fred Van Sickle

OWNER: Mrs. Barbara Van Sickle

LAND: Part Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is an endorsement of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-85 SUBMISSION NO. 629

OWNER: Fred Van Sickle

LAND: Part Lot 12, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is an endorsement of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-87

SUBMISSION NO. 630

OWNER: Douglas J.T. Falls

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan in general and especially as it pertains to the Speyside Area. It is also opposed to the submission of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-88 SUBMISSION NO. 631

OWNER: Kenneth Wood

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and particularly the designations proposed for the Speyside Area.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-89 SUBMISSION NO. 632

AGENT: Kenneth Wood

OWNER: Mrs. Janet Wood

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and particularly the designations proposed for the Speyside Area.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

SUBMISSION NO. 633

FILE NO. S 300-90

OWNER: Miss Gloria Walton

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and opposed to the submission of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-91 SUBMISSION NO. 634

OWNER: Andrew Walton

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and opposed to the submission of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-92 SUBMISSION NO. 635

OWNER: Mrs. Barbara Walton

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and opposed to the submission of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-93 SUBMISSION NO. 636

OWNER: David Walton

LAND: Part Lot 15, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan and opposed to the submission of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

SUBMISSION NO. 637

FILE NO. S 300-94

OWNER: James B. Kenzie

LAND: Part Lot 16, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although the subject property is not within the boundaries of the Proposed Plan it is in full support of the Proposed Plan and the brief submitted by the Speyside Area Ratepayers Association (Submission 609).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-95 SUBMISSION NO. 638

AGENT: Mrs. Jean Falls

OWNER: J.A. Swan

LAND: Part Lot 13, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan, especially the Regional Municipality of Halton (Submission 326) and the Speyside Area in particular. It is also opposed to the request of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-96 SUBMISSION NO. 639

AGENT: Mrs. Jean Falls

OWNER: Mrs. Lois M. Swan

LAND: Part Lot 13, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan especially the Regional Municipality of Halton (Submission 326) and the Speyside Area in particular. It is also opposed to the request of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-97 SUBMISSION NO. 640

OWNER: A.J. Toccalino

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in full support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

SUBMISSION NO. 641

FILE NO. S 300-98

AGENT: Mrs. Marianne Bronder

OWNER: Guido De Rycke

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-100 SUBMISSION NO. 642

OWNER: Mrs. Marianne Bronder

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in full support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-99 SUBMISSION NO. 643

OWNER: Mrs. Kearen Toccalino

LAND: Part Lot 12, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-101 SUBMISSION NO. 644

OWNER: Mrs. V. Chornook

LAND: Part Lot 16, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although the subject property is not in the Proposed Plan area this submission is opposed to any change in the existing Proposed Plan designations abutting her property.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-104 SUBMISSION NO. 645

OWNER: Mrs. Pamela Sheldon

LAND: Part Lot 16, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although the subject property is not included within the boundaries of the Proposed Plan this submission supports the Proposed Plan and further submits that wayside pits should not be a permitted use in Escarpment Rural and Escarpment Protection Areas.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

In our recommendations, comments and reasons in the general section of this report, the matter of wayside pits is dealt with.

FILE NO. S 300-105 SUBMISSION NO. 646

OWNER: Mr. and Mrs. D.W. Fairles

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and strongly opposed to any major changes.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-106 SUBMISSION NO. 647

AGENT: Boris Mokrytzki

OWNER: Steve Mokrytzki

LAND: Part Lot 16, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-107 SUBMISSION NO. 648

OWNER: Boris Mokrytzki

LAND: Part Lot 16, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-108 SUBMISSION NO. 649

OWNER: Mrs. Vera V. Mokrytzki

LAND: Part Lot 16, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and opposed to the request of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-109 SUBMISSION NO. 650

AGENT: Boris Mokrytzki

OWNER: Mrs. Laura Bayly

LAND: Part Lot 16, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-110 SUBMISSION NO. 651

AGENT: Mrs. Vera Mokrytzki

OWNER: Mr. and Mrs. Phil Diamond

LAND: Part Lot 13, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-126 SUBMISSION NO. 652

AGENT: Mrs. Vera Mokrytzki

OWNER: Mr. and Mrs. L. Biasuitti

LAND: Part Lot 17, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-62

SUBMISSION NO. 653
(Written Only)

OWNER: Rice and McHarg Limited

LAND: Part of E 1/2 and W 1/2 Lot 21, Concession 5
Town of Halton Hills

SUMMARY OF SUBMISSION:

The subject property, comprising 24 acres, is proposed to be designated Mineral Resource in the Proposed Plan and in addition this company has the right to quarry sandstone on lands to the south and east of the subject property comprising some 75 acres. The company suggested that the Plan be amended as follows:

1. To make specific reference to "limited expansion of the few small sandstone quarries" be made under each of the Escarpment Rural, Escarpment Protection and Escarpment Natural Areas designations;
2. That the word "small" be deleted from Section 2.8, paragraph 4.

The Niagara Escarpment Commission staff agreed at the hearing with recommendation No. 1 above, but not with No. 2.

RECOMMENDATION:

That the Proposed Plan be modified to incorporate recommendation No. 1 above.

REASONS:

The Niagara Escarpment Commission staff agreed with this change at the hearing.

FILE NO. S 300-112 SUBMISSION NO. 658

OWNER: Derek Smith

LAND: Part Lot 13, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-111 SUBMISSION NO. 659

AGENT: Martin Lustig

OWNER: Pam Smith

LAND: Part Lot 13, Concession 1
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and the Speyside Area Ratepayers Association's submission (Submission 609).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-113 SUBMISSION NO. 660

OWNER: Dr. and Mrs. Dennis Medland

LAND: Part Lot 13, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Escarpment Natural designation for the subject property and surrounding area.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-114

SUBMISSION NO. 661

AGENT: Mrs. Judith Reed

OWNER: John Devries

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and in particular its application to the subject property.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-115 SUBMISSION NO. 662

AGENT: Mrs. Judith Reed

OWNER: Mrs. Mildred Devries

LAND: Part Lot 15, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and in particular its application to the subject property.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-121 SUBMISSION NO. 663

OWNER: Laurie E. Reed

LAND: Part Lot 10, Concession 2
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan generally and particularly to the Halton Hills area and is opposed to the request of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-125 SUBMISSION NO. 664

AGENT: Mrs. Judith Reed

OWNER: W.B. Elsley

LAND: Part Lot 11, Concession 3
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and opposed to the request of Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-26 SUBMISSION NO. 665

OWNER: David Casson

LAND: Part Lot 14, Concession 7
Town of Halton Hills

SUMMARY OF SUBMISSION:

Although the subject property is not within the area covered by the Proposed Plan this submission supports the Plan and requests that no changes in designation be recommended in the Regional Municipality of Halton.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-29 SUBMISSION NO. 666

AGENT: Ron Baylis, President

GROUP: Toronto Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission strongly endorses the Proposed Plan and suggests that it is essential to maintain a continuous hiking trail.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-70 SUBMISSION NO. 667

OWNER: A. McFee

LAND: Part Lot 26, Concession 5
Town of Halton Hills

SUMMARY OF SUBMISSION:

This submission was generally in support of the Proposed Plan but wishes to have the number of wayside pits restricted. The owner was specifically concerned that the farm to the south, purchased by Bot Construction will become a wayside pit.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-32 SUBMISSION NO. 668

AGENT: Steve Varga, Director

GROUP: Toronto Field Naturalists

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan but sets out the following concerns:

1. The Mineral Resource Area designation for the site northeast of the intersection of Regional Roads 30 and 9, Town of Milton, Lot 7, Concession 9, 10 and 11 and the Town of Halton Hills, Lot 1, Concession 10.
2. The western portion of the Mineral Resources Areas to the west of Regional Road 30, Town of Milton, Lot 6 (western portion), Concessions 7 and 8. Both sites occur on lands noted by the Ministry of Natural Resources as Candidate Nature Reserves. While we understand that these areas are licensed for mineral extraction, the portions not yet quarried should be designated Escarpment Natural Areas and considered high priority areas for park acquisition.

It also objects to the change proposed by Standard Industries Ltd. (Submission 368).

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 300-127 SUBMISSION NO. 669

OWNER: T.C. Foster

LAND: Part E 1/2 Lot 4, Concession 2 N.S.
City of Burlington

SUMMARY OF SUBMISSION:

This submission requests that the entire farm should be designated Escarpment Rural rather than Escarpment Protection and Escarpment Rural.

EXHIBITS:

513. Niagara Escarpment Commission Preliminary Proposals map showing Regional Municipality of Halton with additional markings by Tom C. Foster indicating his property.

514. Air photo showing property of Tom C. Foster, East 1/2 Lot 4, Concession 2 N.S., City of Burlington, Regional Municipality of Halton.

RECOMMENDATION:

That the Proposed Plan be modified to change the designation on the whole of this property to Escarpment Rural.

REASONS:

On the basis of the evidence adduced we believe that Escarpment Rural is the proper designation for this property.

FILE NO. S 300-63 SUBMISSION NO. 671

AGENT: Hamish Harrison

OWNERS: Verrico, Capibianco and Casala

SUMMARY OF SUBMISSION:

The subject property is not included in the Proposed Plan and since the request was that it be deleted from the Proposed Plan nothing further is required.

FILE NO. S 300-64 SUBMISSION NO. 672

AGENT: Hamish Harrison

OWNERS: Di Pasquale, Zaratto and Papais

LAND: Part Lot 11, Concession 1
Town of Milton

SUMMARY OF SUBMISSION:

The subject lands are proposed to be designated Escarpment Rural and this submission requests that the lands be removed from the Plan.

EXHIBIT:

515. Air photo showing properties of Di Pasquale, Zaratto and Papais, Part Lot 11, Concession 1, Town of Milton; Middlebrook and Esson, Part Lot 12, Concession 1, Town of Milton; Loach and Lean, Part Lot 13, Concession 1, Town of Milton; all within the Regional Municipality of Halton.

RECOMMENDATION:

The Plan be modified by the deletion of the subject lands.

REASONS:

We are of the opinion, on the basis of the evidence adduced that the deletion of these lands will not interfere with the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. S 300-65 SUBMISSION NO. 673

AGENT:	Hamish Harrison
OWNER:	Gerald O. Loach and R. Lean
LAND:	Part Lot 13, Concession 1 Town of Milton

SUMMARY OF SUBMISSION:

The subject lands are proposed to be designated Escarpment Rural and this submission requests that the lands be removed from the Plan.

EXHIBIT:

515. Air photo showing properties of Di Pasquale, Zaratto and Papais, Part Lot 11, Concession 1, Town of Milton; Middlebrook and Esson, Part Lot 12, Concession 1, Town of Milton; Loach and Lean, Part Lot 13, Concession 1, Town of Milton, all within the Regional Municipality of Halton.

RECOMMENDATION:

The Plan be modified by deletion of the subject lands.

REASONS:

We are of the opinion, on the basis of the evidence adduced that the deletion of these lands will not interfere with the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. S 300-66 SUBMISSION NO. 674

AGENT: Hamish Harrison

OWNERS: Mabel and Charles Esson
Edgar and Neil Middlebrook

LAND: Part Lot 12, Concession 1
Town of Milton

SUMMARY OF SUBMISSION:

The subject lands are proposed to be designated Escarpment Rural and this submission requests that the lands be removed from the Plan.

EXHIBIT:

515. Air photo showing properties of Di Pasquale, Zaratto and Papais, Part Lot 11, Concession 1, Town of Milton; Middlebrook and Esson, Part Lot 12, Concession 1, Town of Milton; Loach and Lean, Part Lot 13, Concession 1, Town of Milton; all within the Regional Municipality of Halton.

RECOMMENDATION:

The Plan be modified by the deletion of the subject lands.

REASONS:

We are of the opinion, on the basis of the evidence adduced that the deletion of these lands will not interfere with the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. S 300-124 SUBMISSION NO. 676

COUNSEL: Herman Turkstra

OWNER: Ronald and Jeanne Shepherd

LAND: Lot 24, Concession 2 N.D.S.
City of Burlington

SUMMARY OF SUBMISSION:

The subject property comprises some 100 acres and has 64 overnight camping spaces together with a swimming pool and other facilities including a picnic pavilion. The site is proposed to to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural. The submission requests that the portion designated Escarpment Protection be changed to Escarpment Rural or that the Plan be amended to provide for campgrounds as a permitted use with the Escarpment Protection Areas subject to proper site evaluation studies. The purpose of this request is to render it possible to make an application to expand the campground into the area proposed to be designated Escarpment Protection.

EXHIBITS:

516. Curriculum Vitae - Clare Riepma

517. Air photo of the Ronald and Jeanne Shepherd property, City of Burlington, accompanied by a photograph of the subject property.

518. A series of four photographs, property of Ronald and Jeanne Shepherd, City of Burlington:
    (a) photo of swimming pool
    (b) photo of pavilion
    (c) photo of overnight camp use
    (d) photo of forest growth in area

519. Air photo showing property of Ronald and Jeanne Shepherd, Lot 24, Concession 2 N.D.S., City of

Burlington, Regional Municipality of Halton.

520. Certified true copy of the City of Burlington comments regarding the Proposed Plan for the Niagara Escarpment. City of Burlington, February 14, 1980.

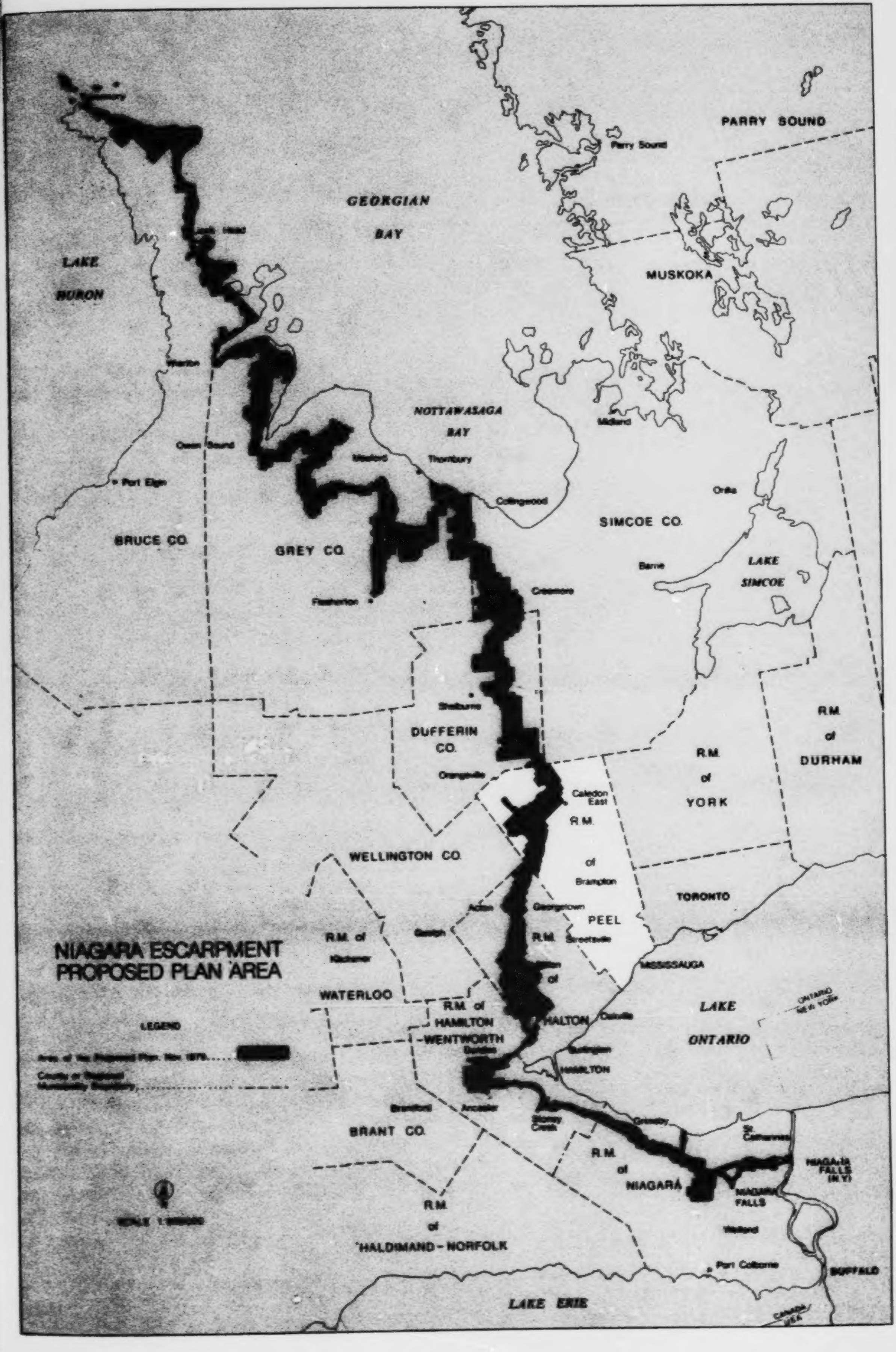
RECOMMENDATION:

None.

REASONS:

We are of the opinion that based on the evidence these lands are properly designated.

REGIONAL MUNICIPALITY OF PEEL


NIAGARA ESCARPMENT
PROPOSED PLAN AREA
LEGEND
Area of the Proposed Plan, Nov. 1979
County or Regional Municipality Boundary
GEORGIAN BAY
LAKE HURON
PARRY SOUND
Parry Sound
MUSKOKA
Lion's Head
Wiarton
Owen Sound
Port Elgin
NOTTAWASAGA BAY
Meaford
Thornbury
Collingwood
Midland
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
BRUCE CO.
GREY CO.
Flesherton
Creemore
Shelburne
DUFFERIN CO.
Orangeville
Caledon East
R.M. of Brampton PEEL
R.M. of YORK
R.M. of DURHAM
TORONTO
WELLINGTON CO.
Acton
Georgetown
Guelph
R.M. of Kitchener WATERLOO
R.M. Streetsville
Milton
of
MISSISSAUGA
R.M. of HAMILTON-WENTWORTH
HALTON
Oakville
Dundas
Burlington
HAMILTON
LAKE ONTARIO
ONTARIO NEW YORK
Brantford
Ancaster
BRANT CO.
Stoney Creek
Grimsby
St. Catharines
R.M. of NIAGARA
NIAGARA FALLS (N.Y.)
NIAGARA FALLS
Welland
R.M. of HALDIMAND-NORFOLK
Port Colborne
BUFFALO
LAKE ERIE
CANADA USA

PHASE II HEARING

THE

REGIONAL MUNICIPALITY OF PEEL

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

REGIONAL MUNICIPALITY OF PEEL

Name	File Number	Submission Number	Page Number
Alexander, John	400-8	237	1003
Association of Peel People Evaluating Agricultural Land	400-6	246	1012
Booth, Mrs. Norma E. L.	400-5	243	1009
Caledon Hills Bruce Trail Club	400-11	241	1007
Caledon Ratepayers' Association Inc.	400-19	238	1004
Caledon, Town of	400-24	228	989
Coalition on the Niagara Escarpment	400-7	248	1014
Credit Valley Conservation Authority	400-13	242	1008
Fockler, K.H.	400-10	235	1000
Foundation for Aggregate Studies	S 400-25	697	1017

Name	File Number	Submission Number	Page Number
Georgian Group	400-4	231	994
Halton Field Naturalists	400-3	245	1011
Harris, Mr. George	400-25	247	1013
Highfields Farm Limited	400-17	240	1006
Lawson, Mrs. Mary	400-15	230	993
Lyons, James	400-9	233	997
Metropolitan Toronto and Region Conservation Authority	400-1	236	1001
Ontario Trail Riders Association	400-21	232	996
Peel, Regional Municipality of	400-22	229	991
Regan-Graham Limited	S 400-26	696	1016
Smith, Clifford R.J.	400-23	249	1015
Stewart, Helen	400-2	239	1005
Terra Cotta Gardens Ltd.	400-18	244	1010
Twaites, W.O.	400-12	234	998

PHASE II

GENERAL STATEMENT

REGIONAL MUNICIPALITY OF PEEL

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the Region of Peel for which a hearing was held at Caledon East together with a portion of the supplementary hearing held in Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 228 to 249 inclusive and 696 and 697.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 228 and 229.

PHASE II

REGIONAL MUNICIPALITY OF PEEL

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 400-24 SUBMISSION NO. 228

COUNSEL: David Ostler

GROUP: Town of Caledon

SUMMARY OF SUBMISSION:

The submission is generally in agreement with the preservation of the Niagara Escarpment although there are some areas of disagreement with the Commission's Proposed Plan. Caledon's presentation expresses in great detail the municipal position and sums it all up in conclusion. Probably the major thrust was the proposal that three areas shown on the map presented by the Regional Municipality of Peel (Exhibit 148) should be deleted from the Plan as being superfluous to the protection of the Escarpment. It was also contended that the more restrictive policies of the Town's official plan re mineral resources should prevail over those of the Proposed Plan although the areas designated as extractive industrial in the official plan and the policies relating thereto have been referred to the Ontario Municipal Board for disposition. In addition the following changes are proposed.

- The provisions of the Proposed Plan concerning the maximum number of new lots that may be created by severances in the Escarpment Natural, Escarpment Protection and Escarpment Rural Areas should be replaced with policies that have the effect of permitting as many severances as may be compatible with the maintenance of the Niagara Escarpment as a continuous natural environment.
- Estate residential plans of subdivision should be permitted in the Escarpment Protection Areas provided that such plans of subdivision are able to meet rigorous environmental application requirements.
- The system of land use control should be based on

zoning supported by site plan control.

- The implementation and administration of the land use control system should be delegated to local municipalities.
- The Ministry of Housing should be responsible for processing amendments to the Niagara Escarpment Plan.
- Public Works exempt from the provisions of the *Environmental Assessment Act* should not be subject to a costly and time-consuming approval process.
- Cataract should be designated as a Minor Urban Centre.
- Minor Urban Centres should be allowed to encroach on the Escarpment Protection Areas where it is determined that it is the most logical direction for expansion.

RECOMMENDATION:

We concur with the request by the Town of Caledon (which has been supported by the Regional Municipality of Peel) for inclusion of Cataract as a Minor Urban Centre and the Proposed Plan be modified accordingly.

REASONS:

Cataract in our opinion meets all the criteria set out in the Proposed Plan for inclusion, and the balance of the submission was generally in support of the Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

Further, the areas requested for deletion are dealt with in Submission 229 (Regional Municipality of Peel).

FILE NO. 400-22 SUBMISSION NO. 229

COUNSEL: David Ostler

GROUP: Regional Municipality of Peel

SUMMARY OF SUBMISSION:

The major proposal in this submission is to ensure the deletion of three areas of the Proposed Plan which are shown and designated on Exhibit 148. These are the self same lands that the Town of Caledon also wants removed. Public meetings held in Caledon have supported this intent. Like the Town, the Region's planners believe that the objectives of the Proposed Plan will not be affected by their removal. Basically the Region of Peel supports the intent of the Proposed Plan as being sound although many of the things the Niagara Escarpment Commission seeks to regulate in the three areas is being effectively safeguarded by other governmental agencies. The Region differs from the Niagara Escarpment Commission in the definition of the Escarpment and that difference recognizes what one can see above ground and not what is buried. This was referred to as a perceptive difference.

In addition it is proposed that the "Plan" recognize Peel Region and the Town of Caledon's more generous severance policy of three per 100 acre township lot and that the settlement area of Cataract be redesignated as Minor Urban Centre. Regional and area municipalities should be requested by the Niagara Escarpment Commission to comment on guidelines for Park Master Plans prior to their adoption.

Zoning by-laws of a special nature should supplant the present development control system with the delegation of administration to the municipalities. Residential subdivisions should be permitted in the Escarpment Protection Areas as well as Escarpment Rural Areas, although it is agreed environmental safeguards should be provided.

EXHIBITS:

148. Niagara Escarpment Commission Proposed Plan, part of base Map No. 4: Regional Municipality of Peel, now illustrating three areas recommended by the Region of Peel for deletion from the Proposed Plan.

149. Metropolitan Toronto Region Conservation Authority: Watershed Plan (Map), May 1980.

150. Map. The Regional Municipality of Peel, indicating the area of the Niagara Escarpment Proposed Plan. Ministry of Transportation and Communications' base map updated to 1979.

RECOMMENDATION:

That areas 1, 2 and 3 as shown on Exhibit 148 in these proceedings be deleted from the Proposed Plan.

REASONS:

On the basis of the evidence adduced we are of the opinion the deletion of these three areas will not affect the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*. These areas form part of the buried scarp which we have recommended elsewhere in this report should be treated differently. As far as the other issues raised by the Region are concerned, we have attempted to answer these problems elsewhere in this report.

FILE NO. 400-15 SUBMISSION NO. 230

COUNSEL: M.J. McQuaid, Q.C.

OWNER: Mrs. Mary Lawson

LAND: Part E 1/2 Lot 14, Concession 14
Town of Caledon

SUMMARY OF SUBMISSION:

Mr. McQuaid pointed out that his client has an approved plan of subdivision for forty lots in the Hamlet of Cataract. This came as a result of an application for a forty-six lot plan of subdivision. There was a subsequent hearing before the Ontario Municipal Board which approved the plan of subdivision but the decision was appealed by the Town of Caledon and the Niagara Escarpment Commission to Cabinet. In a decision dated April 18, 1980 the Cabinet approved the decision of the Ontario Municipal Board but reduced the size of the plan of subdivision to forty lots. Mr. McQuaid requested the hearing officers to designate his client's lands as a Minor Urban Centre and an Escarpment Rural Area in order that the development can proceed.

RECOMMENDATION:

None.

REASONS:

See Recommendation in Submission 228 (Town of Caledon) wherein Cataract was recommended to be a Minor Urban Centre. As far as the request for redesignation to Escarpment Rural is concerned, this will not be necessary if our recommendation to allow low density subdivisions in the Escarpment Protection designation is approved.

FILE NO. 400-4 SUBMISSION NO. 231

COUNSEL:	Ms. Roslyn Houser
OWNER:	The Georgian Group
LAND:	Part of Lots 9 and 10, Concession 3 E.H.S. Town of Caledon

---

SUMMARY OF SUBMISSION:

This subject parcel of land consists of approximately 195 acres which is designated in the Town of Caledon as an Escarpment Rural Area and would permit estate development on large lots with an average lot size of fifteen acres. The owner proposes to develop the land into nine lots varying in size from thirteen acres to eighteen acres. The development would provide, however, for a very large open space area of sixty-nine acres. The Proposed Plan would place the subject land in an Escarpment Protection Area and would not permit the plan of subdivision. Ms. Houser requested that the land designation be left in the proposed Escarpment Protection Area but that the uses be expanded to allow such a development accompanied by detailed environmental studies. In support of the proposition, Ms. Houser called two qualified witnesses, one a planner and the other an ecologist. It was the opinion of both of these witnesses that such a development would not have any adverse impact on the protection of the Niagara Escarpment.

EXHIBITS:

151. Curriculum Vitae - Diana R. Macri
152. Air photo of 195 acre property in the Town of Caledon of the Georgian Building Corporation, with overlay of development concept.
153. Curriculum Vitae - Dennis G. Stevens
154. Niagara Escarpment Commission paper and maps

Submission No. 231 continued

dated February 23, 1981 relating to File No. 400-4:
The Georgian Group, re Lots 9 and 10, Concession 3
E.H.S., Town of Caledon.

RECOMMENDATION:

None.

REASONS:

If our recommendations to permit low density subdivisions in the Escarpment Protection Areas is concurred with the request of this owner is fully met.

FILE NO. 400-21 SUBMISSION NO. 232

AGENT: Jim Angus, Area Director

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

This submission is in support of equestrian trails. The Area Director for the Association provided Exhibit 155, a map which shows the location of some of these trails. The speaker sees within the Proposed Plan the possibility of a trail running its whole length. Part of the proposed route for a trail as shown on the exhibit involves an abandoned Canadian National Railway right-of-way that the Ontario Trail Riders Association would like to utilize.

EXHIBIT:

155. Town of Caledon map, revised July 3, 1974, used as a base map to indicate Niagara Escarpment Proposed Plan boundaries, existing and proposed equestrian trails.

RECOMMENDATION:

None.

REASONS:

The selection of trail location does not fall within our jurisdiction.

FILE NO. 400-9 SUBMISSION NO. 233

OWNER: James Lyons

LAND: Lot 30, Concession 4 W.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

This was an oral presentation and was in support of the Town of Caledon's submission (No. 228). Mr. Lyons requested that part of his lands be recognized for future residential development. He also questioned the number of agencies that have to be dealt with in obtaining development approvals.

RECOMMENDATION:

None.

REASONS:

These lands are included in one of the areas recommended for deletion in Submission 229 (Regional Municipality of Peel).

FILE NO. 400-12 SUBMISSION NO. 234

OWNER: W.O. Twaites

LAND: E 1/2 Lots 31 and 32, Concession 5 W.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

This submission is in opposition to the Proposed Plan which classifies these lands Escarpment Protection and Escarpment Natural Areas. It alleges that it constitutes multiple jurisdiction, inequitable and conflicting interpretation, inability to carry out personal or property planning, and indeed amounts to virtual confiscation without expropriation.

This owner possesses 200 acres as above described which drape over the Escarpment on three levels and varies greatly in character and topography. Considerable monies have been expended in property improvements involving extensive conservation practices since acquisition in 1962. These included reforestation and even the reclamation of an abandoned quarry. When the property was acquired the severance policies were more generous then would be the case under the Proposed Plan. A consultant's report on the optimum use of this property provided several alternatives, the most practical the owner believes, being a limited residential country estate development on those lands capable of development.

The control of the Niagara Escarpment, its maintenance and land use regulations should be returned to the municipalities who are better equipped and more accessible to interpret equitably individual proposals. Exclusion from the Plan is sought.

EXHIBIT:

156. Air photo showing property of W.O. Twaites, East Half of Lots 31 and 32, Concession 5 W.H.S., Town of Caledon, Regional Municipality of Peel.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence we are of the opinion that these lands are properly included within the Proposed Plan, and if our recommendation to allow low density subdivisions in the Escarpment Protection Areas is approved the request of this owner will be partially met.

FILE NO. 400-10 SUBMISSION NO. 235

OWNER: K.H. Fockler

LAND: W 1/2 Lot 11, Concession 4 E.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

Mr. Fockler is basically satisfied with the designation proposed in the Plan but would prefer the Escarpment Protection designation and would like it extended over all property on the north side of the 10th Sideroad. It was explained to Mr. Fockler that he could speak with respect to his own lands but could not suggest changes to the neighbouring properties without proper notice being given to those owners.

EXHIBIT:

157. Air photo showing property of K.H. Fockler, West Half Lot 11, Concession 4 E.H.S., Town of Caledon, Regional Municipality of Peel.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated.

FILE NO. 400-1 SUBMISSION NO. 236

AGENT: Emil Kolb, Chairman, Conservation Land Advisory Board

GROUP: Metropolitan Toronto and Region Conservation Authority

---

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan and made the following recommendations:

1. That the Humber Forest property be deleted from the proposed Niagara Escarpment Park System and that the designation Public Land (not in Park System) be substituted or that provision be made to assure the continuation of forestry use on this property beyond the period of the existing agreement.
2. That the Authority support the inclusion of its lands within the Bruce Trail system and that the use of these lands will be subject to regulations made by the Authority under *The Conservation Authorities Act* and posted on Authority property as well as policies adopted as part of the Watershed Plan.
3. That the Ministry of Natural Resources accept the responsibility of coordinating the development and administration of the Niagara Escarpment Park System.
4. That those statements in the Proposed Plan referring to conservation authority permit requirements for building and construction in flood plain lands be expanded to recognize approval requirements for placing of fill in specified areas and for alterations, diversions or interference with any watercourse.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the Niagara Escarpment Proposed Plan does not prohibit forestry on publicly owned lands and as far as the other recommendations of the Authority are concerned no recommendations by us are necessary.

FILE NO. 400-8 SUBMISSION NO. 237

OWNER: John Alexander

LAND: Lot 15, Concession 2
Town of Caledon

SUMMARY OF SUBMISSION:

Mr. Alexander is a past president of the Caledon Ratepayers' Association and dealt with a number of local issues from the past which do not have too much bearing on the issue at hand. Mr. Alexander, although basically supportive of the Commission, looks on it more or less as a "resolve group" to settle local disputes. Another area which concerns Mr. Alexander is the extraction of aggregate from Escarpment lands and he made several suggestions regarding the controls which he feels are appropriate.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 400-19 SUBMISSION NO. 238

AGENT: L. Murray Eades, President

GROUP: Caledon Ratepayers' Association Inc.

SUMMARY OF SUBMISSION:

Mr. Eades presented the submission on behalf of this group and points covered were pretty much a repeat of John Alexander's brief. They support retention of the Niagara Escarpment Commission but are concerned with the mineral aggregate policy. He expressed the opinion that the area remain in residental and recreational uses.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 400-2 SUBMISSION NO. 239

OWNER: Mrs. Helen Stewart

LAND: E 1/2 Lot 22, Concession 6
Town of Caledon

SUMMARY OF SUBMISSION:

This submission expresses concern as to the effect of the Niagara Escarpment Commission's Proposed Plan on the future use of this property. The Plan designates it as Escarpment Rural, however, the provisions of the Mono Mills Minor Urban Centre would apply. At present the Caledon Official Plan regarding establishment of boundaries has been referred to the Ontario Municipal Board for adjudication.

RECOMMENDATION:

None.

REASONS:

The majority of these lands have been recommended for deletion under Submission 229 (Regional Municipality of Peel).

FILE NO. 400-17 SUBMISSION NO. 240

OWNER: Highfields Farm Limited

AGENT: Clair Stewart, President

SUMMARY OF SUBMISSION:

This submission, while presented at this Phase II hearing, really dealt with the Proposed Plan generally and was primarily concerned with the opinion that the wording of the Plan does not allow for flexibility. In this regard it was submitted that since development control is the preferred method of implementing the Plan that some degree of flexibility will be involved in that process.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 400-11 SUBMISSION NO. 241

AGENT: G. Lawrence Buchanan

GROUP: Caledon Hills Bruce Trail Club

SUMMARY OF SUBMISSION:

This brief which was presented on behalf of this group confined itself as to how the Proposed Plan affects the Bruce Trail and the relationship with landowners. It emphasized the importance of a good relationship between landowners and the Bruce Trail Club. They feel that the use of roads for the Trail is not a completely satisfactory one, however, they do support the idea of having a continuous hiking trail from Niagara to Tobermory.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 400-T3 SUBMISSION NO. 242

AGENT: Brian Czajer, Conservation Planner

GROUP: Credit Valley Conservation Authority

SUMMARY OF SUBMISSION:

The Authority above named has indicated it supports in principle the Proposed Plan. In this Phase II Peel section hearing that position is not affected. However there are certain minor concerns expressed in the brief where names given various lands in the Plan are not in accord with those commonly expressed by the Conservation Authority. This submission recommended that in order to avoid confusion the list of such names be revised.

RECOMMENDATION:

None.

REASONS:

We feel this is a matter that the Niagara Escarpment Commission should take under advisement.

FILE NO. 400-5 SUBMISSION NO. 243

OWNER: Mrs. Norma E.L. Booth

LAND: Lots 9 and 10, Concession 1 E.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

The main concern of this submission was the small number of severances that would be allowed under the Proposed Plan and in this regard it supports the Town of Caledon's submission (No. 234) that recommended an increase in the number of severances permitted.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 400-18 SUBMISSION NO. 244

OWNER:	Ken Heltcher
GROUP:	Terra Cotta Gardens Ltd.
LAND:	Part Lot 29, Concession 6 W.H.S. Town of Caledon

SUMMARY OF SUBMISSION:

The subject lands are presently used as a trailer park and have been so used for some years. The Proposed Plan places this property in an Escarpment Protection Area which the owner feels could curtail the expansion of the existing use at some future date. He requests that his lands be placed in an Escarpment Rural Area because of the recreational use now as a serviced campground.

RECOMMENDATION:

None.

REASONS:

These lands are included in one of the areas to be deleted from the Proposed Plan, dealt with in Submission 229 (Regional Municipality of Peel).

FILE NO. 400-3 SUBMISSION NO. 245

AGENT: Mrs. Bonnie Weaver

GROUP: Halton Field Naturalists

SUMMARY OF SUBMISSION:

This submission was made by Mrs. Bonnie Weaver who holds a Masters Degree in biology and was in general support of the Proposed Plan and emphasized the need for conformity in the Plan for the whole of the Escarpment area.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 400-6 SUBMISSION NO. 246

AGENT: Mrs. Verna Flowers, Chairperson

GROUP: Association of Peel People Evaluating Agricultural Land

---

SUMMARY OF SUBMISSION:

This submission does not fully address itself to the Niagara Escarpment Commission's Proposed Plan. It would appear that the comments made are more aptly directed to the Regional Municipality of Peel. In its recommendations however, the brief does support the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 400-25 SUBMISSION NO. 247

OWNER: George Harris

LAND: Part Lot 11, Concession 4 and 5 W.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

Mr. Harris owns some 66 acres on Dufferin Lake. The lake is some 10 acres in size and his lands surround it and is improved with a residence. The subject land is proposed as a Candidate Nature Reserve in the Proposed Plan and Mr. Harris is delighted with this designation and fully supports it.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 400-7 SUBMISSION NO. 248

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan as it pertains to the Regional Municipality of Peel and emphasized that there should be no more deletions to the area covered by the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 400-23

SUBMISSION NO. 249
(Written Only)

OWNER: Clifford R.J. Smith

LAND: W 1/2 Lot 4 and S 1/2 Lot 5, Concession 3 W.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

This was a written submission which was read at the conclusion of the Phase II hearing in Caledon East. The property is known as Caledon Heath Farm and consists of some 155 acres. It is used as a thoroughbred horse breeding farm. The lands are proposed as Escarpment Rural in the Proposed Plan.

Mr. Smith feels that because his property is well removed from the face of the Escarpment it should be removed from the Plan.

EXHIBIT:

158. Air photo showing property of Clifford R.J. Smith, West Half Lot 4, South Half Lot 5, Concession 3 W.H.S., Town of Caledon, Regional Municipality of Peel.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that this property is properly included in the Proposed Plan and properly designated.

FILE NO. S 400-26 SUBMISSION NO. 696

COUNSEL: Gary J. Smith

OWNER: Regan-Graham Limited

LAND: Part Lot 12, Concession 1 W.H.S.
Lot 12, Concession 2 W.H.S.
Town of Caledon

SUMMARY OF SUBMISSION:

None.

RECOMMENDATION:

None.

REASONS:

On appearance of legal counsel before the hearing officers this application was withdrawn.

FILE NO. S 400-25 SUBMISSION NO. 697

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission is in support of the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

Number/
Numéro
4

Ontario

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

Report of the Hearing Officers

A.L. McCrae, Chief Hearing Officer
W.T. Shrives, Hearing Officer
M.D. Henderson, Hearing Officer

Volume Four

January 1983

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

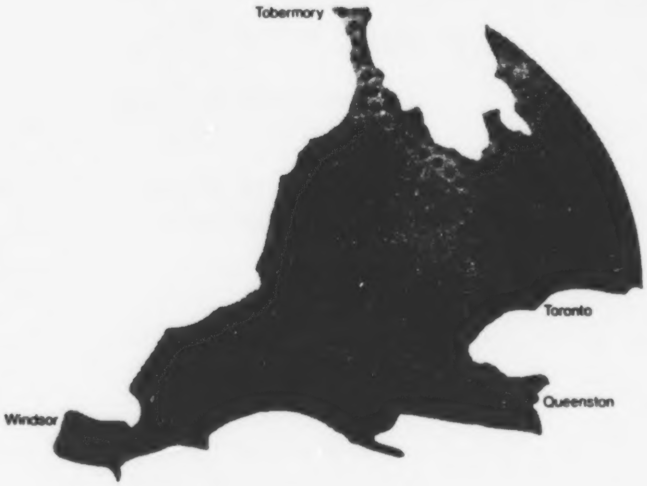
OF THE HEARING OFFICERS

NIAGARA ESCARPMENT PROPOSED PLAN HEARING

REPORT

OF THE HEARING OFFICERS

A. L. MCCRAE, Chief Hearing Officer
W. T. SHRIVES, Hearing Officer
M. D. HENDERSON, Hearing Officer


Tobermory
Toronto
Queenston
Windsor

WALTER W. GOWING, Chief Administrator
CAROL A. BEVERIDGE, Hearing Secretary

VOLUME FOUR
JANUARY 1983

TABLE OF CONTENTS

VOLUME 4 - PHASE II HEARINGS

In Phase II, only presentations dealing with issues in specific sectors (individual counties and regions) of the area covered by the Proposed Plan were heard by the Hearing Officers

Section 500:

COUNTY OF DUFFERIN

- Index: List of Submissions 1035
- General Statement by Hearing Officers 1041
- Summary of Submissions, Recommendations and Reasons 1043

Section 600:

COUNTY OF SIMCOE

- Index: List of Submissions 1173
- General Statement by Hearing Officers 1175
- Summary of Submissions, Recommendations and Reasons 1177

Section 700:

COUNTY OF GREY

- Index: List of Submissions 1227
- General Statement by Hearing Officers 1233
- Summary of Submissions, Recommendations and Reasons 1235

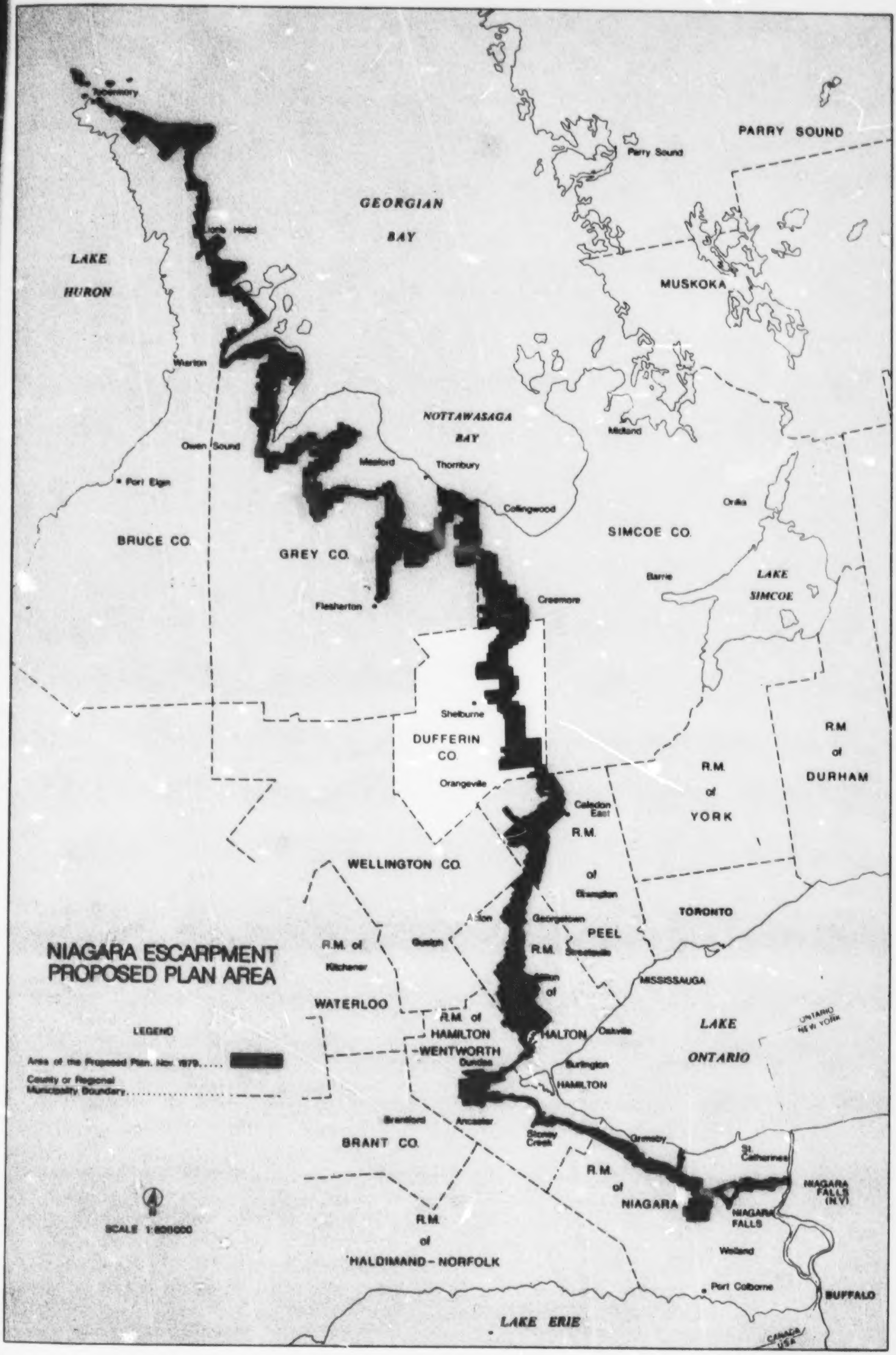
Section 800:

COUNTY OF BRUCE

- Index: List of Submissions 1349
- General Statement by Hearing Officers 1353
- Summary of Submissions, Recommendations and Reasons 1355

This is Volume Four of a four volume report by the Hearing Officers on the Niagara Escarpment Proposed Plan. Please refer to Volume One for a complete four volume Table of Contents.

COUNTY OF DUFFERIN


NIAGARA ESCARPMENT
PROPOSED PLAN AREA
LEGEND
Area of the Proposed Plan, Nov 1979
County or Regional Municipality Boundary
SCALE 1:800000
Tobermory
Lion's Head
LAKE HURON
GEORGIAN BAY
Wiarton
Owen Sound
Port Elgin
BRUCE CO.
GREY CO.
Meaford
Thornbury
NOTTAWASAGA BAY
Collingwood
Flesherton
Creemore
PARRY SOUND
Parry Sound
MUSKOKA
Midland
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
Shelburne
DUFFERIN CO.
Orangeville
Caledon East
R.M. of DURHAM
R.M. of YORK
R.M. of Brampton
PEEL R.M.
WELLINGTON CO.
Acton
Georgetown
Streetsville
Guelph
R.M. of Kitchener
WATERLOO
Milton
R.M. of HALTON
R.M. of HAMILTON-WENTWORTH
Dundas
Oakville
Burlington
HAMILTON
TORONTO
MISSISSAUGA
LAKE ONTARIO
ONTARIO NEW YORK
Brantford
Ancaster
BRANT CO.
Stoney Creek
Grimsby
St. Catharines
R.M. of NIAGARA
NIAGARA FALLS (N.Y.)
NIAGARA FALLS
Welland
Port Colborne
BUFFALO
R.M. of HALDIMAND-NORFOLK
LAKE ERIE
CANADA USA

PHASE II HEARING

THE

COUNTY OF DUFFERIN

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

COUNTY OF DUFFERIN

Name	File Number	Submission Number	Page Number
Aspen Resorts Inc.	500-36	255	1056
Bibby, Douglas J.	500-25	259	1060
Boyne River Natural Science School	500-73	312	1132
Brown, Borden	500-54	269	1074
Bruno, M.	500-21	275	1084
Butler, Charlene	500-16	260	1061
Coalition on the Niagara Escarpment	S 500-3	706	1158
Corlett, Mr. and Mrs. Gary H.	500-64	300	1119
Cullen, Donald	500-37	262	1064
Davidson, Harold	500-22	288	1103
Davison, Ralph	500-24	279	1092

Name	File Number	Submission Number	Page Number
Dodds, Earl	500-62	298	1117
Dodds, L.S.	S 500-61	700	1151
Dufferin Federation of Agriculture	500-40	278	1090
Edelbrook Bros. Ltd.	500-4	320	1142
Farnell, Mrs. Margaret B.	500-46	285	1099
Fells, Mr. and Mrs. A.G.	S 500-102	707	1159
Ferris, Howard	500-85	321	1143
Ferris, Mr. and Mrs. Mervyn	S 500-107	698	1149
Fitzgerald, Mrs. Margery	500-44	281	1094
Foundation for Aggregate Studies	500-56	289	1106
Fowler, Mr. and Mrs. D. B.	500-70	302	1121
Franklin, Dr. John	500-60	297	1116
Gallaugher, Mrs. Evelyn	500-91	304	1123
Gallaugher, Howard	500-55	270	1076
Gallaugher, Jaunita	500-94	306	1125
Gariepy, Doreen B.	S 500-103	710	1162
Gariepy, Kenneth A.	500-67	299	1118
Goldman, Murray	500-32	274	1082
Goldman, Ralph and Donna	500-50	290	1108
Goodwin, K.D.	500-48	282	1095
Graham, Mr. and Mrs. H.P.	S 500-78	701	1152
Halbert, Keith	500-15	319	1141
Hamilton, Mr. and Mrs. R.M.P.	500-71	276	1086
Hardman, Mrs. V.	500-87	307	1126

Name	File Number	Submission Number	Page Number
Harrison, Ken and Sharon and Fiddlement, Len and Keywan, William	500-19	266	1069
Hawkins, Ian	500-12	286	1100
Henry, Gordon	500-68	293	1111
Henry, Kenneth and Pauline	500-58	322	1144
Henry, Miss Norah	500-69	294	1112
Hockley Valley Improvement Association	500-17	292	1110
Hodgson, George	500-89	273	1081
Horner, Bert	500-53	268	1072
Horton, Mrs. L.	500-65	301	1120
Howes, J. Douglas	500-18	315	1135
Howes, Mrs. Patricia	500-72	303	1122
Jade Mountain Estates Limited	500-35	272	1080
Jarvis, Mrs. Margaret	500-97	314	1134
Johnston, John R.	500-83	325	1148
Jones, Mrs. Joyce	500-11	257	1058
Kaiser, Hubert	500-74	271	1078
Kendal, Mr. and Mrs. Harold	500-52	291	1109
Koechlin, Goetz	500-29	311	1131
Leeson, Mrs. Leta	S 500-10	712	1165
Long, R. J.	S 500-104	708	1160
Lowcock, Mrs. Murial	500-34	253	1054
MacMillan, A.D.	500-77	309	1128
Melancthon, Township of	500-38	267	1071
Meredith, C.T.	500-76	313	1133
Miller, Mrs. Kathy	500-43	324	1146

Name	File Number	Submission Number	Page Number
Moffatt, Donald	500-8	254	1055
Moffatt, Norman H.	500-51	280	1093
Mono, Township of	500-26	316	1136
Morrow, Samuel H.	500-2	277	1088
Mulmur, Township of	500-6	250	1045
Murray, Mrs. Helen L.	S 500-106	709	1161
McCreath, Ralph S.	500-47	263	1065
McKee, J.V.	500-28	264	1067
McLaren, Mrs. L.	500-88	305	1124
McNenly, Keith J.	S 500-31	699	1150
Niagara Escarpment Central Ratepayers Association	S 500-9	705	1156
Ontario Trail Riders Association	500-30	256	1057
Pearce, J.A.	500-45	252	1053
Perry, Dr. and Mrs. V.R.	500-75	310	1129
Rauk, Sergei and Erika	500-49	284	1098
Reive, Tom	500-5	287	1101
Robb, Donald	500-96	323	1145
Shepherd, George	500-39	308	1127
SInclair, Mrs. Helen	500-23	283	1096
Sloam, William	S 500-98	704	1155
Smith, Harold P.	500-63	295	1113
Standard Industries Limited	500-82	318	1140
Still, Wilson R. and Ruth	S 500-81	703	1154
Tate, Russell	500-57	296	1114

Name	File Number	Submission Number	Page Number
Thomson, Lloyd	500-14	261	1062
Tovell, Dr. Walter N.	500-33	251	1052
Wechsel, Reinhold and Brunhilde	500-27	258	1059
Weir, Mary Jane T.	500-42	265	1068
White, Eric and Phyllis	500-59	317	1139
White, James	S 500-7	711	1163
Wilkinson, Robert	S 500-79	702	1153

PHASE II

GENERAL STATEMENT

COUNTY OF DUFFERIN

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Dufferin for which a hearing was held at Orangeville together with a portion of the supplementary hearing held in Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 250 to 325 inclusive and 698 to 712 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 250, 252, 258, 263, 264, 266, 267, 268, 270, 273, 309, 316, 318, 320, 324, 325, 699 and 704.

In the County of Dufferin we have recommended in Submissions 250, 267 and 316 that large areas be removed from the Plan and that the designations for larger areas be changed from those proposed .

Several submissions in this sector (Dufferin) are dependent on these recommendations being accepted otherwise our recommendation might have been to remove certain properties or to change the designations.

Submissions in this category include the following: 253, 254, 260, 262, 264, 265, 269, 270, 271, 272, 274, 275, 276, 277, 279, 280, 281, 283, 284, 286, 288, 290, 293, 294, 296, 298, 299, 304, 305, 306, 307, 308, 310, 312, 313, 314, 317, 319, 320, 321, 322, 325, 698, 699, 700, 701, 702, 703, 704 and 711.

PHASE II

COUNTY OF DUFFERIN

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 500-6

SUBMISSION NO. 250

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mulmur

SUMMARY OF SUBMISSION:

Ross Raymond, a qualified planner, appeared and gave evidence on behalf of the Township. The Township of Mulmur is one of those municipalities where very little of the actual Escarpment is exposed and the largest percentage lies buried. Mr. Raymond, like many other people who appeared at these hearings, feels that the visable Escarpment should be preserved and that in certain cases there is a need for a buffer around the Escarpment. A strong plea was made to remove farms from the Proposed Plan because of the impact which these controls would have on the farming community. A case in point was using farmland to provide open space for other more sensitive areas. Exhibit 161 was filed during the course of this submission which showed specific lands that this Township requested be removed from the Proposed Plan. Mr. Raymond also took issue with the fact that the Commission did not carry out a thorough investigation of the socio-economic conditions prevailing in Mulmur, otherwise it would have become apparent that the predominant land use within the area is agriculture. Mr. Raymond pointed out that the area of control suggested by the Gertler Report was significantly smaller in both the Townships of Mono and Mulmur than is now proposed in the Plan. It was also Mr. Raymond's opinion that existing agencies and controls would go a long way to protecting the Escarpment. Mr. Mullin appeared again on behalf of the Township to support the deletion of the lands of Dr. and Mrs. Victor R. Perry (Submission 310).

Summary of recommendations from this submission are as follows:

1. The placing of agriculture as a land use of the third order of importance in the Proposed Plan is

not acceptable to the Council or the ratepayers of the Township of Mulmur. The Proposed Plan should be altered to release the lands which are being actively farmed to the local jurisdiction represented by the official plan and zoning by-laws of the Township of Mulmur. The important features of the Niagara Escarpment where they occur in the Township of Mulmur should be provided with protection by the use of policies which are in fact "overlays" to the existing official plan policies and these protective policies should be administered through the use of development control procedures.

2. The Council submits that in the Township of Mulmur, agriculture should be recognized as the predominate use of land. Recreation, rural residential, and conservation uses should be established as being clearly secondary to the primary use of the land for farming purposes in this area.
3. The Proposed Plan should be altered to provide protection to the farmers since their livelihood depends on their ability to use their land in accordance with established practices. The emphasis on the maintenance of farming as an existing use should be deleted from the Plan. The viability of a particular farming operation should be something determined by the farmer himself and not by a Government Ministry.
4. The policies of the Proposed Plan should be re-written to encompass all of the Food Land Guidelines and not just the lot creation policies from that document.
5. The development control criteria listed in Section 2.9 should be completely revised to make them as

much like a zoning by-law as possible in order that an individual citizen can judge the degree to which his proposals conform with the policies of the Proposed Plan. The vague and subjective criteria should be removed completely from this Section.

6. While interim development control has been effective in reducing the amount of development which has taken place which might have affected the Proposed Plan and its policies, it is now apparent that the development control area should be reduced as much as possible and this procedure should only be used to regulate matters of real Escarpment concern.

7. Certain areas which have a high potential for mineral aggregate and bedrock resources within the Township as shown in the Government report submitted as evidence should be designated in the Proposed Plan for such use without the necessity of an amendment to the Plan. The existing controls over pits and quarries which are presently in use are sufficiently detailed to provide all of the protection required for the Niagara Escarpment. The Niagara Escarpment Commission can, if it wishes, work through the Ministry of Natural Resources prior to the issuance of a licence under the *Pits and Quarries Control Act*. The use of development control and a further amendment to the Niagara Escarpment Plan are measures which are unnecessary.

8. While the principle of the establishment of the Bruce Trail through the Township is acceptable, it is clearly necessary for the route of the trail to be located on road allowances or on land which has been acquired from landowners willing to accept the presence of the Trail. Expropriation

procedures to establish the trail are clearly unwarranted in view of lack of compatibility between livestock operations and recreational hiking.

9. The position of the Niagara Escarpment Commission with respect to the acquisition of lands for park purposes (including the Bruce Trail) should be clarified and the reference to the use of the Land Compensation Board should be corrected.

10. The policy of the Provincial Government to pay grants in lieu of taxes for land acquired for park purposes should be reviewed and where land is being used other than for local recreation purposes, the revenue provided to the local municipality should be increased until it is approximately equal to the sum which would be paid by private owners in taxes for the same land.

The chief recommendation of the Township is that all lands proposed to be designated Escarpment Rural in the Township of Mulmur together with land "hatched" on Exhibit 161 be deleted.

EXHIBITS:

161. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe and County of Dufferin. Marked by Mulmur Township to indicate lands the Township recommends to be removed from the Proposed Plan.

162. Overlay prepared by the Niagara Escarpment Commission, to be applied to part of Niagara Escarpment Commission Proposed Plan Map 5: County of Simcoe and County of Dufferin. Overlay showing lands recommended by Mulmur for deletion from the Proposed Plan.

163. Four Maps:
    (a) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin.

Additional markings on map within Dufferin County indicating Criterion 1: Groundwater Infiltration Areas; Criterion 2: Headwater and Surface Streams.

(b) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 3: Geological Areas; Criterion 4: Natural Areas.

(c) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 5: Cultural Areas; Criterion 6: Forested Areas.

(d) Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe and County of Dufferin. Additional markings on map within Dufferin County indicating Criterion 7: (Open Landscape and Buffer) Landscape Evaluation Study; Criterion 8: Access.

RECOMMENDATION:

That the Proposed Plan in the Township of Mulmur be modified by the deletion of the Escarpment Rural designated lands, and that it be further modified by changing the Escarpment Protection designated lands to Escarpment Rural. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)

REASONS:

The Municipality of the Township of Mulmur requested deletion from the Proposed Plan of all the Escarpment Rural lands and certain areas of Escarpment Protection lands shown cross-hatched on Exhibit 161. A careful scrutiny of the evidence adduced in this regard would indicate that the principal reason for such exclusion is that these are in the main, lands being actively farmed. That is not really a reason in the planning sense for the hearing officers taking the course suggested. All over the Province vast acreages of operating farms are designated as rural. The difference here is that another layer of control is imposed on these lands by virtue of the requirements of the Proposed Plan and it is contended that they are and will be detrimental to the farming operation. Recommendations found elsewhere in this report seek to ameliorate this problem in various ways including the administration and implementation of the Proposed Plan.

Underlying the municipal opposition however, is the fact that in this Township where the Escarpment is largely buried as opposed to other areas in the Plan there is not and should not be the same urgency for restrictive measures to ensure its protection, nor the necessity of the huge acreage deemed necessary by the Commission to do so. The panel of hearing officers heard this proposition put forward on numerous occasions during the lengthy course of the hearings, and it is from this input that we have concluded that the treatment planning wise of the "buried" scarp must be varied from that adopted by the Niagara Escarpment Commission throughout the entire planning area. This is accomplished in part, we believe, by recognizing the "overkill" in the amount of land included in the Proposed Plan to "protect" the buried scarp and by reducing its mass. At the same time such protection as is necessary for certain scarp features can be provided by a land use designation of Escarpment Rural with its far less restrictive policies rather than the Escarpment Protection designation applied by the Commission.

For the panels disposition of other matters raised in the submission of the municipality reference should be had to the recommendations, comments and reasons in the general section of this report.

FILE NO. 500-33 SUBMISSION NO. 251

OWNER: Dr. Walter M. Tovell

LAND: Part Lot 27, Concession 1 E.H.S.
Townhip of Mono

SUMMARY OF SUBMISSION:

Dr. Tovell is a geologist, an educator and a landowner in Mono Township. He purchased and renovated the Granger School. For the most part Dr. Tovell's evidence dealt with the geological aspects of the Niagara Escarpment and more particularly with the "Hewitt" definition. He also feels that there is a lack of information with respect to groundwater. It is his opinion that the biggest problem will be the administration of the Plan and he feels it should be under a Provincial Minister. Dr. Tovell supports the Proposed Plan in general but feels that some changes in the Plan may be necessary. In answer to a question by Geoffrey Mullin, Counsel for the Township of Mulmur and Mono, Dr. Tovell didn't know if his property was within the Proposed Plan or not.

EXHIBIT:

164. Curriculum Vitae - Dr. Walter M. Tovell

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

See also Recommendations on Submission 263 (Ralph S. McCreath) regarding possible deletion of property.

FILE NO. 500-45 SUBMISSION NO. 252

OWNER: J.A. Pearce

LAND: Part West 1/2 Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Pearce owns approximately 52 acres and bought the property to try his hand at farming. He has 32 acres planted in trees and another 10 acres in hay. He requested that his property be removed from the Proposed Plan and that controls be returned to the local municipality. He feels that too many words in the Plan require qualification and that the Niagara Escarpment Commission is just another layer of controls. The evidence indicates that this is not an area which the Township suggested for deletion.

RECOMMENDATION:

That the Niagara Escarpment Commission give consideration to deleting all lands in Lots 22, 23, 24 and 25, Concessions 2, 3, and 4 E.H.S., Township of Mulmur from the Proposed Plan.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

We would have recommended the deletion of the subject lands but recognize that to do so would create an island inside the Plan. Our inclination would be to remove the lands as recommended above but in the absence of a request by the municipality or owners for much of the balance of the lands in this area we have only recommended that the Niagara Escarpment Commission give serious consideration to excluding all the lands in Lots 22, 23, 24 and 25, Concessions 2, 3 and 4 E.H.S., from the Plan.

FILE NO. 500-34

SUBMISSION NO. 253
(Written Only)

OWNER: Mrs. Muriel Lowcock

LAND: Part Lot 25, Concession 2
Township of Mulmur

SUMMARY OF SUBMISSION:

Mrs. Lowcock indicated that she and her husband do not object to the proposed designation of their eight acres of land in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

See Recommendations in Submission 250 (Township of Mulmur), which if accepted will change the designation on this land to Escarpment Rural. In addition reference to Submission 266 (Harrison and Fiddlement) should be had concerning possible deletion of these lands. If these lands are deleted then any change in designation would not be required.

FILE NO. 500-8 SUBMISSION NO. 254

OWNER: Donald Moffatt

LAND: Lot 12, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Moffatt has a 93 acre operating farm and objects to the Proposed Plan including his land. He points out that there is no visable scarp near him nor any wetlands. It is his opinion generally that additional controls are not necessary on his property and that there are sufficient existing controls.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the bulk of this property will be designated as Escarpment Rural.

FILE NO. 500-36 SUBMISSION NO. 255

AGENT: G.M. Sernas of G.M. Sernas & Associates Ltd.

OWNER: Aspen Resorts Inc.

LAND: Lot 10, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Sernas indicated that his clients have purchased Twin Hearths Ski Area which is located near the southwest corner of Airport Road and Hockley Valley Road. It is apparent that they propose to develop this property as a recreational area. It is their hope that both the Commission and the public in the area will permit such a development to proceed. No evidence was called on behalf of the Commission.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 500-30 SUBMISSION NO. 256

AGENTS: Ms. Carolyn Pennie and Mrs. Mavis L. McCullum

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

Ms. Carolyn Pennie and Mrs. Mavis L. McCullum appeared on behalf of the association and read a prepared brief. This group did not take a position either for or against the Proposed Plan but did support the rights of local municipalities to continue to act in the best interest of local landowners. It was pointed out that it is the objective of these riders that scenic road allowances, unimproved road rights-of-way and suitable public lands be available for their activities.

RECOMMENDATION:

None.

REASONS:

The hearing officers lack the jurisdiction to recommend or designate the trails sought.

FILE NO. 500-11 SUBMISSION NO. 257

OWNER: Mrs. Joyce Jones

LAND: North 1/2 of West 1/2 and North 1/2 of East 1/2 of
Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mrs. Jones appeared and requested that the adjacent property known as the Monteclair Ski Resort be changed from the proposed Escarpment Recreation designation to Escarpment Protection.

In this case the Niagara Escarpment Commission called no evidence.

RECOMMENDATION:

None.

REASONS:

After hearing all the evidence in connection with the property known as "Monteclair" the panel came to the conclusion from this submission and others that there was indeed certain problems that could arise from the designation proposed for these lands by the Niagara Escarpment Commission. This had regard mainly to the question as to whether or not a legal non-conforming use exists.

The question of our jurisdiction to make a recommendation for a change in designation becomes academic as long as the non-conforming use question is not resolved.

In addition we are of the opinion that we could not make a recommendation on property where the request for a change had been made by other individuals without proper notice to the owner.

FILE NO. 500-27 SUBMISSION NO. 258

OWNER: Reinhold and Brunhilde Wechsel

LAND: Part Lot 26, Concession 3 E.
Part Lot 28, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mrs. Wechsel indicated that the two properties have no identifiable connection with the Escarpment and that the lands in question are flat and there is no bedrock exposure. A drilled well on Lot 26 goes to a depth of 134 feet and no rock was encountered. There is a stream which crosses the property. In the opinion of Mrs. Wechsel farmland such as these subject lots should not be in the Proposed Plan.

EXHIBIT:

165. Air photo showing properties of Brunhilde Wechsel, Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no request for deletion was made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 500-25 SUBMISSION NO. 259

OWNER: Douglas J. Bibby

LAND: East 1/2 Lots 9 and 10, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Bibby purchased a property in September 1980 which is known as the Valley Schuss Ski Club. He stated that he is pleased with the Proposed Plan and since the chalet on the property was destroyed by fire he would like the uses expanded to include such things as tennis, squash, camping and a fitness club. In this way he would not be limited to an activity such as skiing which covers a short season.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan. As far as the request to expand these uses is concerned we do not believe such concession should be granted in a specific instance.

FILE NO. 500-16 SUBMISSION NO. 260

OWNER: Mrs. Charlene Butler

LAND: Lots 24, 25 and 26, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Although this submission was made by Mrs. Charlene Butler whose property is not in the Plan, it also concerned the following owners:

Mrs. Donna Lehman
Joseph and Joyce Matthews
Gary and Nan DeMan
Richard Frank and Gail Love
Redford O'Dell
Gladys Fowler
Mr. and Mrs. Nolty

All these owners requested that their properties be removed from the area covered by the Proposed Plan since it was their contention that none of their lands are really connected with the Escarpment.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 316 (Township of Mono) are accepted some of the subject lands will be removed from the Proposed Plan and others will be changed from Escarpment Protection to Escarpment Rural. Any Escarpment Natural Area will remain as is. It was noted that the Niagara Escarpment Commission led no evidence regarding these properties.

FILE NO. 500-14 SUBMISSION NO. 261

AGENT: Donald Cullen

OWNER: Lloyd Thomson

LAND: Part East 1/2 Lot 7, Concession 1 E.H.S.
Part West 1/2 Lot 7, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately 35 acres is designated Escarpment Natural in the Proposed Plan and the owner wishes to develop it for estate residential purposes. It is the owner's contention that this property is two concessions removed from the scarp and its inclusion is part of an attempt to widen the scarp (in the Proposed Plan) to take in the whole of the Hockley Valley.

This submission requests the following:

1. Remove subject property from the area covered by the Proposed Plan.
2. Or at least allow three dwellings to be erected on the property.
3. Or failing No. 1 or No. 2, that the Government enter into negotiations to purchase the subject property.

EXHIBIT:

166. Air photo showing property of Lloyd Thomson, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

This property has in the opinion of the hearing officers been properly designated and included in the Proposed Plan.

FILE NO. 500-37 SUBMISSION NO. 262

OWNER: Donald Cullen

LAND: Part West 1/2 Lot 14, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately five acres is designated Escarpment Rural in the Proposed Plan.

It is the owner's contention that the subject property should not be included in the Proposed Plan since it is some 2,000 feet from the closest Escarpment Protection Area in the Proposed Plan.

EXHIBIT:

167. Air photo showing property of Donald Cullen, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted this property will be deleted from the Proposed Plan.

FILE NO. 500-47 SUBMISSION NO. 263

OWNER: Ralph S. McCreath

LAND: East 1/2 Lot 31, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This property consisting of approximately 100 acres is designated Escarpment Protection in the Proposed Plan and has been farmed for most of the past 100 years and now supports a small cattle operation and contains a renovated barn that is used for living accommodation.

This submission along with many others particularly in the Dufferin County area, expresses concern that the lands contained in the Proposed Plan are not really part of the scarp since there is no visable scarp in the immediate area.

This submission recommends that the three areas of Provincial significance in the Township of Mono:

Mono Centre, North Escarpment
Violet Hill, South Escarpment
Cannings Falls, Valley Forests

be set aside for public use perhaps joined by the Bruce Trail and that the balance of the lands in the Township of Mono proposed to be included in the Proposed Plan be removed from the Plan.

EXHIBIT:

168. Air photo showing property of Ralph S. McCreath, Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. 500-28 SUBMISSION NO. 264

OWNER: J.V. McKee

LAND: Part East 1/2 Lots 12 and 13, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consisting of some 110 acres is designated Escarpment Protection and Escarpment Rural in the Proposed Plan.

The subject property has been in the McKee family since 1871 and is still being actively farmed and produces a good living for the McKees.

Mr. McKee has a fear of the unknown and requests that his property be removed from the area covered by the Proposed Plan.

EXHIBIT:

169. Air photo showing property of J.V. McKee, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That this property be removed from the Proposed Plan.

REASONS:

Our recommendations in Submission 250 (Township of Mulmur) if accepted would remove the Escarpment Rural portion from the Proposed Plan and we are of the opinion on the basis of the evidence that the portion proposed to be designated Escarpment Protection be also removed.

FILE NO. 500-42 SUBMISSION NO. 265

OWNER: Ms. Mary Jane T. Weir

LAND: Part Lot 17, Concession 3 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission was concerned with being able to expand an existing kennel operation. The subject property is designated Escarpment Rural under the Proposed Plan.

This submission is in support of the Township of Mulmur's request to remove Escarpment Rural designations from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation under Submission 250 (Township of Mulmur) is accepted this property will be deleted from the Proposed Plan.

FILE NO. 500-19 SUBMISSION NO. 266

OWNERS: Ken and Sharon Harrison,
William Keywan and Len Fiddlement

LAND: Part Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property is designated Escarpment Protection under the Proposed Plan and is immediately east of Jade Mountain Estates, a subdivision of some ten recreational and permanent homes.

This submission requests that the Proposed Plan not be implemented and that zoning by-laws and official plans administered by elected municipal councils be put in place instead.

In any event this submission suggests that the proposed designation of Escarpment Protection is improper since the subject property is in an area of substantial development.

RECOMMENDATION:

That the Niagara Escarpment Commission give consideration to deleting all the lands in Lots 22, 23, 24 and 25, Concession 2, 3 and 4 E.H.S., Township of Mulmur, from the Proposed Plan.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

We would have recommended the deletion of the subject lands but recognize that to do so would create an island inside the Plan. Our inclination would be to remove the lands as recommended above but in the absence of a request by the municipality or owners for much of the balance of the lands in this area, we have only recommended that the Niagara Escarpment Commission give serious consideration to excluding all the lands in Lots 22, 23, 24 and 25, Concessions 2, 3 and 4 E.H.S., from the Plan.

FILE NO. 500-38 SUBMISSION NO. 267

COUNSEL: George Shepherd

GROUP: Township of Melancthon

SUMMARY OF SUBMISSION:

The first concern of the Township of Melancthon is with reference to lands included in the planning area but not now included in the Proposed Plan. The Township requests that lands in the Proposed Plan be returned to the sole jurisdiction of the Township and the second concern is that in the opinion of the Township the administration of land use controls should be at the local municipal level.

RECOMMENDATION:

That all the lands in the Township of Melancthon contained in the Proposed Plan be removed from the Plan.

REASONS:

The evidence given for inclusion of these lands in the Proposed Plan is not sufficient to justify their retention therein.

FILE NO. 500-53 SUBMISSION NO. 268

COUNSEL: George Shepherd

OWNER: Bert Horner

LAND: Part West 1/2 Lot 32, Concession 1 E.H.S.
West 1/2 Lot 31, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property in Lot 32 consists of approximately 25 acres fronting on Highway 89 and contains the Horner residence and the property in Lot 31 is a 100 acre mixed farming operation and both are designated Escarpment Protection under the Proposed Plan. This submission contends that "Escarpment Protection" is an improper designation.

Mr. Horner requests that development control remain in the hands of the local elected officials and that his lands be removed from the Escarpment Protection Area.

EXHIBIT:

170. Air photo showing property of Bert Horner, Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject property. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 500-54 SUBMISSION NO. 269

COUNSEL: George Shepherd

OWNER: Borden Brown

LAND: Lot 5, Concession 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consists of 200 acres being actively farmed with a mixed farming operation and is designated Escarpment Rural in the Proposed Plan.

Mr. Brown requests that his lands be removed from the Proposed Plan since the subject lands contain no Escarpment features and are not in close proximity to any Escarpment landforms.

EXHIBITS:

171. Soil map of Dufferin County. Soil Survey Report No. 38. Scale: 1 inch = 1 mile or 1:63360. Soil survey by the Department of Soil Science, Ontario Agricultural College, Guelph and the Research Branch, Canada Department of Agriculture, Ottawa. Published by the Soil Research Institute, Research Branch, Canada Department of Agriculture, Ottawa, 1963.

172. Air photo showing property of Borden Brown, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion from the

Proposed Plan in Submission 250 (Township of Mulmur).

FILE NO. 500-55 SUBMISSION NO. 270

COUNSEL: George Shepherd

OWNER: Howard Gallaugher

LAND: Part Lot 17, Concession 1 E.H.S.
Part Lot 17, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property consists of some 158 acres on which a mixed farming operation is carried on and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan.

Mr. Gallaugher requests that the Escarpment Natural and Escarpment Protection designations be removed and that the whole of his land be designated Escarpment Rural and although this is his request he would prefer to have his lands removed from the Proposed Plan.

EXHIBIT:

173. Air photo showing property of Howard Gallaugher, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the portion of these lands proposed for Escarpment Rural designation in the Proposed Plan be left as is and retained in the Plan together with all the neighbouring lands proposed to be designated Escarpment Rural in Lots 16, 17, 18, 19 and 20, Concessions 1 W and 1 E, Township of Mulmur. There is no recommendation regarding the Escarpment Protection lands of this submission.

REASONS:

In our opinion the retention of the Escarpment Rural designated lands is required to provide an adequate buffer in the immediate area. There was no recommendation made on the Escarpment Protection designated lands in this submission because if our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated as Escarpment Rural.

FILE NO. 500-74 SUBMISSION NO. 271

COUNSEL: George Shepherd

OWNER: Hubert Kaiser

LAND: Lots 30 and 31, Concession 1 E.H.S.
Lots 29, 30 and 31, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This is a 700 acre farm and the owner actively farms 100 acres, rents out 500 acres, and operates a wholesale porcelain business on part of the balance. There is a small creek running from north to south through the middle of the farm. The creek bed is swampy and is the only area of the farm with steep slopes. This part consisting of some 50-55 acres is not farmed, but the balance of the farm produces corn, mixed grain and hay. The topography except for the stream valley is smooth with gentle slopes and in part is slightly rolling. There are no rock Escarpment or landforms on the farm.

The lands have three designations under the Proposed Plan: Escarpment Natural, Escarpment Protection and Escarpment Rural. It is contended that in the absence of Escarpment landforms, the only reason the farm is in the Proposed Plan is because of the creek and in the opinion of the owner there is no justification in the *Niagara Escarpment Planning and Development Act* for inclusion based on that reasoning. He is opposed to development control based on his own experience with it and believes zoning to be a more preferable method of controlling land use. If the Plan were to be approved he wants the Township to be included as the administrating authority.

The owner's first request is to remove his whole 700 acres from the Proposed Plan. Failing this he wants the Escarpment Rural designated lands removed and the Escarpment Protection lands reclassified to Escarpment Rural. He is also opposed to the provision in the Proposed Plan for an increased area of notice regarding decisions on development control applications.

EXHIBIT:

174. Air photo showing property of Hubert Kaiser,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

The bulk of this request will be met if our recommendations in Submission 250 (Township of Mulmur) are concurred with.

FILE NO. 500-35 SUBMISSION NO. 272

COUNSEL: George Shepherd

OWNER: Jade Mountain Estates Ltd.

LAND: Part East 1/2 Lot 25, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission is by way of a request to be removed from the Proposed Plan so that the lands can be developed residentially. The whole of the 70 acres is designated as Escarpment Protection although the north part of the lands constitute a registered plan of subdivision. There is a draft plan for the development of the balance. Development started in 1962 and of the first phase of some 20 registered lots 16 are sold and 10 homes erected. To date the second phase of the subdivision has not as yet got off the ground and both the Niagara Escarpment Commission and the Ministry of Housing have rejected the proposal. The Township of Mulmur Official Plan shows all of the holdings as estate residential.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the subject land will be designated Escarpment Rural.

In addition, reference to Submission 266 (Harrison, Keywan and Fiddlement) should be had concerning possible deletion of these lands. If these lands are deleted then any change in designation would not be required.

FILE NO. 500-89 SUBMISSION NO. 273

COUNSEL: George Shepherd

OWNER: George Hodgson

LAND: East 1/2 Lot 30, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission concerns the above lands but it was explained that there are 47 additional acres not in the Proposed Plan, so these do not concern us. The 100 acres designated Escarpment Protection are located south of the McCreath lands (Submission 263) and is said to be almost identical in character. There is no visable rock on the farm and the nearest view of the Escarpment is about three miles away. The lands are not under development control. It is requested that these lands be removed from the Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject lands. It is suggested that the Niagara Escarpment Commission give consideration to deleting all other lands in Lots 26 to 32, Concession 1 W.H.S. and 1 E.H.S. for which no requests for deletion were made at these hearings.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 500-32 SUBMISSION NO. 274

AGENT: Ronald C. Richards

OWNER: Murray Goldman

LAND: Lot 11, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property in its entirety consists of 100 acres but is divided into two parcels by the Nottawasaga River. The part we are concerned with is north of the Hockley Valley Road immediately south of the river. It has a frontage of 1,200 feet on Hockley Valley Road with a depth of approximately 700 feet to or slightly beyond the river. The subject is designated Escarpment Natural and Escarpment Protection. It is intended if this submission is accepted to develop the land into three prestige estate residential lots of between 3.9 and 5.3 acres. Water supply and sewage disposal are all possible of attainment based on engineering and planning evidence adduced in support. Environmentally it was submitted that the proposal would not affect the goals of the Niagara Escarpment Commission, and only two trees would be removed from this heavily treed area. Exhibit 176 (b) shows the extent of residential development that has occured in the area. It is requested that the blue mapping of Escarpment Recreation Area land use be extended to these Commission designated Escarpment Natural lands to permit the development. In the applicant's view, the proposal would be permitted in the Mono Official Plan which designates the property as Rural with lands around the river being Environmental Protection.

EXHIBITS:

175. Curriculum Vitae - Clarence P. Riepma

176. 2 Items:
    (a) Pictorial presentation including seven colored

photographs (1 to 7) on mounted board with map showing subject lands, Nottawasaga River, Hockley Valley Road and Valley Schuss, submitted by Ronald Richards, April 14, 1981.

(b) Pictorial presentation including 13 color photographs (8 to 20) on mounted board showing development that has occured in the area of (a), submitted by Ronald Richards, April 14, 1981.

177. Curriculum Vitae - Bruce Alan Brown.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of land designated Escarpment Protection will be changed to Escarpment Rural and we are of the opinion the balance of the property is properly designated and should remain within the Proposed Plan.

FILE NO. 500-21 SUBMISSION NO. 275

AGENT: David Matthews, Land Use Planner

OWNER: M. Bruno

LAND: East 1/2 Lots 29 and 30, Concession 5
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property constitutes some 80 hectares (200 acres) of land located in the northern part of the Township approximately 2.0 kilometres southwest of the Hamlet of Banda and 2.5 kilometres northwest of Randwick. It has a frontage of 1,200 metres on the concession road between Concessions 5 and 6 and abuts the township road dividing lots 30 and 31. The lands are quite level and visually are not part of the landscape associated with the Niagara Ecarpment landform. Topographically the lands are similar to lands in Concession 6 to the east which are not designated in the Proposed Plan. A small stream valley traverses the northerly portion of the subject property. The owner is prepared to accept the Escarpment Natural designation on the small area of the westerly portion of the east half of Lot 30, Concession 5 some 10 to 20 acres, but opposes the Escarpment Protection designation on the balance. It is alleged that if indeed the Niagara Ecarpment underlies the property it is at considerable depth and the objectives of the Commission could be equally well satisfied by designating the lands as Escarpment Rural. The Commission intent to protect local acquifers and headwaters of cold water streams would not be prejudiced by the Escarpment Rural designation, nor would the maintenance of the open landscape quality.

It is therefore requested that the proposed Escarpment Natural designation area be concurred with but the balance of the property be changed from Escarpment Protection to Escarpment Rural. Under the local official plan the lands are designated as Rural Residential.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 250 (Township of Mulmur) are accepted the request herein is complied with.

FILE NO. 500-71 SUBMISSION NO. 276

AGENT: John M.P. Hamilton

OWNER: Mr. and Mrs. R.M.P. Hamilton

LAND: Lots 16 and 17, Concession 2 and 3 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The above mentioned lands have been referred to as the "western" group totalling 150 acres of which 100 is workable farmland and the "eastern" group, some 410 acres, of which 150 acres is workable farmland. Objection is taken to the Niagara Escarpment Commission's designation of Escarpment Protection and Escarpment Rural placed on the subject lands. The owners wish to eventually divide part of the property among their family and perhaps also develop some lots. They believe the requirements of the Commission are much too onerous and do not provide the latitude the local official plan would permit. In addition they do not wish additional controls on the wooded lands which are now being managed efficiently.

It is requested that all of the subject lands be removed from the Plan and again be placed under Township jurisdiction.

EXHIBIT:

178. Air photo showing property of John Hamilton,
Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion of land designated Escarpment Rural will be removed from the Proposed Plan and the part designated Escarpment

Protection will be changed to Escarpment Rural.

FILE NO. 500-2 SUBMISSION NO. 277

COUNSEL: Donald Kerr

OWNER: Samuel H. Morrow

LAND: Part Lot 14, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The submission concerns the lands shown outlined in orange on Exhibit 179, some 30 acres, although the main interest of the owner is to either be removed from the Plan or be given a development permit for a home on the westerly 15 acres and one for the rebuilding of an existing home. The 30 acre holding is in both Escarpment Protection and Escarpment Natural designations. Counsel outlined the difficulties experienced in attempting to procure a development permit and the high financial cost involved to his client. In addition it was pointed out that one is not permitted to argue one's case before the Niagara Ecarpment Commission when it is considering a development permit application. He would prefer to be under official plan and zoning controls of the municipality as one is closer to the people who administer them. The property is in the east end of the Hamlet of Hornings Mills and there is residential development to the north, south and west of the property. Exception is not taken to the Escarpment Natural designation only the Escarpment Protection classification.

EXHIBIT:

179. Air photo showing property of Samuel H. Morrow, Township of Melancthon, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation on Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

FILE NO. 500-40 SUBMISSION NO. 278

AGENT: Ralph Davison, Director

GROUP: Dufferin Federation of Agriculture

SUMMARY OF SUBMISSION:

The submission is in agreement with some portions of the Proposed Plan, but expresses the belief the Plan takes the wrong direction to protect farmland. Commercial livestock and cash crop farming should not be considered as part of the natural environment. It is felt agricultural lands are more likely to be wasted than preserved under some of the provisions of the Plan. Many of the uses proposed in the Rural classification are not compatible with farming. Concern is expressed with the uncertainties of development control criteria in the Proposed Plan coupled with the provisions of Sections 14 and 18 of the *Niagara Escarpment Planning and Development Act*:

> "14. Notwithstanding any other general or special Act, where the Niagara Escarpment Plan is in effect and there is a conflict between any provision of the Plan and any provision of a local plan or any provision of a zoning by-law covering any part of the Niagara Escarpment Planning Area, then the provision of the Niagara Escarpment Plan prevails. R.S.O. 1980, c. 316, s. 14.
>
> 18. - (1) For the purposes of developing any feature of the Niagara Escarpment Plan, the Minister may, for and in the name of Her Majesty, acquire by purchase, lease or otherwise, or, subject to *Expropriations Act*, without the consent of the owner, enter upon, take and expropriate and hold any land or interest therein within the Niagara Escarpment Planning Area and sell, lease or otherwise dispose of any such land or interest therein.

(2) The Lieutenant Governor of Council may designate any minister of the Crown in respect of any land acquired under subsection (1), and thereupon the minister so designated may, for the purpose of developing any feature of the Niagara Escarpment Plan,

(a) clear, grade or otherwise prepare the land for development or may construct, repair or improve buildings, works and facilities thereon; or

(b) sell, lease or otherwise dispose of any of such land or interest therein. R.S.O. 1980, c. 316, s 18."

The above sections deal with the pre-eminence of the Proposed Plan over local ordinances and expropriation respectively.

The Federation would request that the impact of the Plan on agricultural lands be reduced to a level consistent with the relatively limited acreages of exposed Escarpment outcrops in Dufferin County.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 500-24 SUBMISSION NO. 279

OWNER: Ralph Davison

LAND: Lot 11, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission concerns approximately 110 acres of land in Mulmur Township. 60 acres is used for the growing of grain, hay and potatoes. 30 acres is pasture and 20 acres is a hardwood bush. Over all areas the soil would range from 2 to 7 on the Canada Land Inventory Index. The farm is designated as Escarpment Rural in the Proposed Plan and according to the Township submission should be removed from the Plan. Davison agrees. He already has had many unpleasant experiences where nearby lands were used for recreation and does not believe good farms should be used for buffers.

Farmland should not be included in the Proposed Plan in accordance with the requests of the Dufferin Federation of Agriculture and the Township of Mulmur.

EXHIBIT:

180. Air photo showing property of Ralph Davison, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be removed from the Proposed Plan.

FILE NO. 500-51 SUBMISSION NO. 280

OWNER: Norman H. Moffatt

LAND: South 1/2 Lot 6, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

This property consists of 100 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that the subject property be removed from the Proposed Plan and that the administration of all local affairs be returned to the duly elected municipal body.

EXHIBIT:

181. Air photo showing property of Norman H. Moffatt, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then these lands will be removed from the Proposed Plan.

FILE NO. 500-44 SUBMISSION NO. 281

OWNER: Ms. Margery Fitzgerald

LAND: North 1/2 Lot 6, Concession 6
Township of Mono

SUMMARY OF SUBMISSION:

This property consists of 100 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that the subject property be removed from the Proposed Plan and that the administration of all local affairs be returned to the duly elected municipal body.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then these lands will be removed from the Proposed Plan.

FILE NO. 500-48 SUBMISSION NO. 282

OWNER: K.D. Goodwin

LAND: South 1/2 Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The lands involved in this submission are designated Escarpment Protection under the Proposed Plan. Mr. Goodwin is concerned that the Proposed Plan does not permit anyone to know in advance what one could or could not do with lands covered by the Proposed Plan.

This submission was also concerned (along with several others) about the proposed designation of Escarpment Recreation on the property known as Monteclair Ski Centre. Mr. Goodwin points out that the Proposed Plan refers to this as a major existing recreational ski centre whereas Mr. Goodwin states that the centre has been non-operational since 1974.

RECOMMENDATION:

None.

REASONS:

The reasons for this are contained in Submission 257 (Joyce Jones).

FILE NO. 500-23 SUBMISSION NO. 283

AGENT: Donald Sinclair

OWNER: Mrs. Helen Sinclair

LAND: East 1/2 Lot 12, Concession 1 E.H.S.
Part South West 1/4 Lot 12, Concession 2 E.H.S.
South East 1/2 Lot 13, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Protection and Escarpment Natural under the Proposed Plan. A branch of the Nottawasaga River flows through these lands over four waterfalls and through a deep gorge and is referred to as Scott's Falls an area that the Proposed Plan recommends be acquired. This submission made the following requests:

1. That Scott's Falls be removed from its present designation of priority regarding acquisition.
2. That the designation of Lot 12, Concession 1 E.H.S., Township of Mono, be changed from Escarpment Protection to Escarpment Rural, failing this, that exception be made specific to this parcel allowing for severance of all or part of the parcel.
3. That the south east half of Lot 13, Concession 1 E.H.S., Township of Mono, be changed in designation from Escarpment Protection to Escarpment Rural, or that the regulations in the Plan be clarified so as to allow for expansion of present dwellings.

EXHIBIT:

182. Air photo with overlay showing subject property of Mrs. Helen Sinclair, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

The matter of land for acquisition has been dealt with elsewhere in this report and if our recommendations in Submission 316 (Township of Mono) is concurred with the portions of land designated Escarpment Protection will be changed to Escarpment Rural.

FILE NO. 500-49 SUBMISSION NO. 284

OWNER: Sergei and Erika Rauk

LAND: Part West 1/2 Lot 11, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Protection in the Proposed Plan as is the parcel of land immediately to the south of the subject property. This submission is concerned with an apparent farming operation being carried out on the neighbouring property contrary to Niagara Escarpment Commission approval and while the Rauks have been advised that the Niagara Escarpment Commission proposes legal action to remedy the apparent wrong doing no action has been taken to date.

RECOMMENDATION:

None.

REASONS:

The problem referred to is not within our jurisdiction but if our recommendation in Submission 316 (Township of Mono) is concurred with these lands will be redesignated Escarpment Rural.

FILE NO. 500-46

SUBMISSION NO. 285

OWNER: Mrs. Margaret B. Farnell

LAND: Part West 1/2 Lot 12, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission, along with several others, is concerned with the Escarpment Recreation designation being proposed for the ski centre known as Monteclair which has not apparently been in operation since 1974, and requests that consideration be given to changing the proposed designation to either Escarpment Protection or Escarpment Natural.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in Submission 257 (Joyce Jones).

FILE NO. 500-12 SUBMISSION NO. 286

OWNER: Ian Hawkins

LAND: Lot 29, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consisting of 200 acres is designated Escarpment Natural, Escarpment Protection and Escarpment Rural. Mr. Hawkins, who operates this farm in partnership with his father, states that the portions proposed to be designated Escarpment Natural and Escarpment Protection form an integral part of this farm operation. This submission requests that the "control of land be turned back to the local councils" and in any event is concerned that the Proposed Plan places greater emphasis on recreation than farming.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion designated Escarpment Rural will be removed from the Proposed Plan and the part designated Escarpment Protection will be changed to Escarpment Rural.

FILE NO. 500-5 SUBMISSION NO. 287

OWNER: Tom Reive

LAND: West 1/2 Lot 12, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Natural in the Proposed Plan but this submission was more concerned with certain general aspects of the Plan as well as the Monteclair Ski Centre. The Monteclair Ski Centre is the subject of many submissions in this area with particular reference to the contention that it has not operated since 1974 and if its proposed designation of Escarpment Recreation is made final that such annoying things as snowmobiles will be allowed to run rampant over the property.

As far as the general aspects of the Plan are concerned this submission is critical of the Proposed Plan for what Mr. Reive considers to be concerns that are not dealt with in the Plan such as:

1. No effective standards of development.
2. No mention of pollution of the environment.
3. Plan fails to set standards for existing uses.

Among other things primarily dealing with public nuisances.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones). This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 500-22

SUBMISSION NO. 288

OWNER: Harold Davidson

LAND:
West 1/2 Lot 28, Concession 1 E.H.S.
North 1/2 of West 1/2 Lot 31, Concession 1 E.H.S.
West Part Lot 32, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The above properties comprise over 300 acres and have Escarpment Rural, Escarpment Protection and Escarpment Natural designations in the Proposed Plan. All are being actively farmed.

This lengthy and well prepared brief may be summarized as follows:

1. The Proposed Plan be changed so that scarp areas, only, in Mulmur Township be included.
2. The Plan area be reduced to eliminate all good agricultural lands unless some landowner indicates his wishes to be included.
3. The Plan place greater emphasis on the need for existing and continuous agriculture in the future.
4. Recreational uses be encouraged in our parks and not on private land.
5. An economic study of agriculture and the impact the Plan might have on it in the Township of Mulmur.
6. Where there is a conflict of land use, farming must take priority. In time the land will become available to the purchasing body.
7. The word "viable" be removed because of its difficult and unsatisfactory explanation. It is a very inappropriate word at the present time.

8. A needs study for more public parks should be done by the appropriate Ministry if any more land is to be acquired in the Township of Mulmur.

9. The Commission direct the Government agency responsible to purchase any such land at a fair market price.

10. The word expropriation be removed from the Plan and the *Niagara Escarpment Planning and Development Act*.

11. The future plan be administered by local government. A plan has been suggested by Ross Raymond, planning consultant.

12. Present wording must be clarified.

13. Remove the Bruce Trail from the Plan.

14. All "trails" be on public land or road allowances only. (Unless willing landowners consent to have the Bruce Trail return to their lands).

15. For reasons stated throughout this brief, I ask for my farm:
    1. W 1/2 Lot 28, Concession 1 E.H.S.
    2. N 1/2 of W 1/2 Lot 31, Concession 1 E.H.S.
    3. W Part Lot 32, Concession 1 E.H.S.

    in Mulmur Township be removed from this or any plan that the Niagara Escarpment Commission may rewrite or present.

EXHIBIT:

183. Air photo showing property of Harold Davidson, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

As far as the subject lands are concerned if our recommendations in Submission 250 (Township of Mulmur) are concurred with the portion of these properties proposed to be designated Escarpment Rural will be removed from the Plan and the portions proposed to be designated Escarpment Protection will be changed to Escarpment Rural and remain within the Plan.

As far as the other matters raised in this submission are concerned we have attempted to deal with them elsewhere in this report.

FILE NO. 500-56 SUBMISSION NO. 289

AGENT: Eric Salmond, Director

GROUP: Foundation for Aggregate Studies

SUMMARY OF SUBMISSION:

This submission is further to Submission 215 (G 700-143) made at Owen Sound and re-affirms that submission with the following recommendations:

1. That pits and quarries in the Escarpment Natural Areas, and Escarpment Protection Areas be prohibited; and
2. That prior to licensing a pit or quarry in the Escarpment Rural Areas, there must be an assessment of its proposed impacts on the environment, the social affects and the affects on prime agricultural lands, along with an amendment to the Niagara Escarpment Plan; and
3. That in the event that a permit or licence is issued in the Escarpment Rural Areas, after careful scrutiny of the environmental assessment, that stringent requirements for rehabilitation of the site back to its original use, and compatible with adjacent lands, along with a firm timetable for complete restoration be made conditions of any licence.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments

and reasons in the general section of this report.

FILE NO. 500-50 SUBMISSION NO. 290

OWNER: Ralph and Donna Goldman

LAND: East 1/2 Lot 10, Concession 5
Township of Mono

SUMMARY OF SUBMISSION:

Mr. and Mrs. Goldman pointed out that their property could be divided into lots on the Hockley Road but were prevented from doing so by the Proposed Plan. The lands in question are proposed for both Escarpment Protection and Escarpment Natural Areas. The evidence indicates that at one time there was a proposed plan of subdivision on these lands which was turned down.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of land designated Escarpment Protection will be changed to Escarpment Rural and we are of the opinion the balance of the property is properly designated in the Proposed Plan and should remain within the Plan.

FILE NO. 500-52

SUBMISSION NO. 291

OWNER: Mr. and Mrs. Harold Kendal

LAND: West 1/2 Lot 11, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. and Mrs. Kendal presented a brief to the hearing which dealt with the proposed designation of the Monteclair Ski Area and requested the Escarpment Recreation designation be changed to Escarpment Protection. The Niagara Escarpment Commission called no evidence.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

FILE NO. 500-17 SUBMISSION NO. 292

AGENT: David Forrester

GROUP: Hockley Valley Improvement Association

SUMMARY OF SUBMISSION:

David Forrester read a brief on behalf of the Association. It was pointed out that the Association favours the preservation of natural features. A feed lot operation should be eliminated as a use because of possible pollution. Many types of recreational activities such as motorcycles, snowmobiles, and ski resorts should be severely limited. More allowance should be made for the creation of lots by severances. The elected council should be responsible for the administration of controls.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 500-68

SUBMISSION NO. 293

OWNER: Gordon Henry

LAND: Part Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Would like to see the designation proposed on his property changed to Escarpment Rural. Essentially Mr. Henry is opposed to the Niagara Escarpment Commission controls and feels that development should be allowed to proceed.

EXHIBIT:

184. Air photo showing property of Gordon Henry, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with the request herein will be granted.

FILE NO. 500-69 SUBMISSION NO. 294

OWNER: Miss Norah Henry

LAND: Part East 1/2 Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Miss Henry owns 10 acres of land and was represented by her brother, Gordon Henry (Submission 293), at the hearing. The evidence given in this case is essentially the same as for Mr. Henry's property and again Miss Henry wishes to be removed from the Escarpment Protection Area. This may be a case where the boundaries are determined by the road allowance.

EXHIBIT:

185. Air photo showing property of Miss Norah Henry, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with the request herein will be granted.

FILE NO. 500-63 SUBMISSION NO. 295

OWNER: Harold P. Smith

LAND: East 1/2 Lot 15, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Smith owns a 20 acre woodlot which is being managed under the guidance of the Ministry of Natural Resources. Mr. Smith is concerned with the implications of Section 2.9 in the Proposed Plan and the possibility that additional criteria may be applied by the implementing body. He would also like to see the local elected officials have a say in the consideration of applications. He also expressed opposition to the designation proposed for the Monteclair Ski Area and indicated it should be rejected.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

FILE NO. 500-57 SUBMISSION NO. 296

OWNER: Russell Tate

LAND: Lot 5, Concession 1
Lot 12, Concession 1
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Tate has a century farm and operates a beef farm. He stated that he wishes the proposed designations of Escarpment Protection and Escarpment Natural be removed from his lands because they could hamper his present operation. He also feels that the proposed designation for the Boyne River Park could have harmful effects on his land. He also explained that the Bruce Trail follows the road allowance between his two properties and has been a great source of annoyance to him because in his opinion the trail is not adequately supervised.

EXHIBIT:

186. Two Air Photo:
  (a) Air photo showing property of Russell Tate, E 1/2 Lot 5, Concession 1 W.H.S., Part W 1/2 Lot 5, Concession 1 E.H.S., Township of Mulmur, County of Dufferin.
  (b) Air photo showing property of Russell Tate, E 1/2 Lot 12, Concession 1 W.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with a portion of these properties designated Escarpment Protection will be changed to Escarpment Rural.

FILE NO. 500-60 SUBMISSION NO. 297

OWNER: Dr. John Franklin

LAND: East 1/2 Lot 7, Concession 1
Township of Mono

SUMMARY OF SUBMISSION:

Dr. Franklin owns a four acre lot on the Hockley Road and stated that he was grateful for the protection afforded him by the Proposed Plan of the Niagara Escarpment Commission. He appears to be very skeptical about the ability of the local council to control things. Dr. Franklin is a permanent resident of the area although he works in the city.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 600-62

SUBMISSION NO. 298

OWNER: Earl Dodds

LAND: Part East 1/2 Lots 7 and 8, Concession 5 E.H.S.
West 1/2 Lot 7, Concession 6 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Dodds' total holdings amount to 350 acres and all of his land is in the Proposed Plan. He wishes to have all of his land removed from the Plan and control returned to the local elected officials. Most of this property has been in his family since 1824 and was a crown grant from Queen Victoria. He cited a case where he had applied for a severance which was objected to by the Niagara Escarpment Commission. In his opinion his lands have been devalued because of the controls. He also pointed out that the proposed Escarpment Natural Area is a vital part of his farming operation and in fact one five acre field in the Escarpment Natural Area is under active cultivation. This is an area where the Escarpment is buried.

EXHIBIT:

187. Air photo showing property of Earl Dodds,
Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendations in Submission 316 (Township of Mono) is concurred with a portion of these lands designated Escarpment Protection will be changed to Escarpment Rural.

FILE NO. 500-67 SUBMISSION NO. 299

OWNER: Kenneth A. Gariepy, Q.C.

LAND: Part East 1/2 Lot 14, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Gariepy owns approximately 61.5 acres of land which has been improved with two homes. Mr. Gariepy spoke at length about the construction of ponds and dams on private property and he feels that the Proposed Plan does not make sufficient provision for these. He recommended that a section be added to Escarpment Natural, Escarpment Protection, Escarpment Rural, Escarpment Recreation and Mineral Resource Areas showing ponds and dams as a permitted use. He is opposed to the Escarpment Recreation designation given to Monteclair Ski Centre.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with portions of this property designated Escarpment Protection will be changed to Escarpment Rural.

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

FILE NO. 500-64

SUBMISSION NO. 300

OWNER: Mr. and Mrs. Gary H. Corlett

LAND: Part West 1/2 Lot 18, Concession 1 E.H.S.
Part East 1/2 Lot 19, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

According to the Proposed Plan these properties are included partly in the Escarpment Rural and Escarpment Natural designations and contain some 60 acres in total. This submission may be summarized as follows:

1. To spell out more clearly the intent of the Plan in a set of guidelines to be administered by existing municipal government and embodied in its official plan.
2. To continue with park development and appropriate land acquisition for such purposes, as funds permit - people do need playgrounds other than the backyards of their neighbours.
3. Carry out a similar kind of study for the other large areas of the Province where our heritage and our resources are being subjected to desecration and set up locally administered official plans for them.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 500-65 SUBMISSION NO. 301

OWNER: Mrs. L. Horton

LAND: West 1/2 Lot 15, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was not concerned with the designation of Escarpment Protection in the Proposed Plan for the subject property but rather requested that the designation for Monteclair Ski Resort be changed from Escarpment Recreation as proposed in the Plan to Escarpment Protection.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre is dealt with in Submission 257 (Joyce Jones).

FILE NO. 500-70

SUBMISSION NO. 302

OWNER: Mr. and Mrs. D.B. Fowler

LAND: Part West 1/2 Lot 9, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the method used in the Proposed Plan to show Minor Urban Centres in that the red circles do not appear to give an accurate impression of size or location of a hamlet.

The Fowlers contended in their submission that the Niagara Escarpment Commission should have restricted their activities to areas that are unquestionably "Escarpment Natural Areas".

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 500-72 SUBMISSION NO. 303

OWNER: Mrs. Patricia Howes

LAND: Parcel 9, South 1/2 Lot 16, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property consists of some 14 acres designated mainly Escarpment Natural in the Proposed Plan. This submission may be summarized as follows:

1. Return planning to local government immediately.
2. Cut back the control area to only the visible Escarpment.
3. Do away with development control.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 500-91

SUBMISSION NO. 304

COUNSEL: George Shepherd

OWNER: Mrs. Evelyn Gallaugher

LAND: Part Lot 14, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property of approximately twelve acres is vacant land designated in the Proposed Plan as Escarpment Rural with some Escarpment Natural along the easterly portion.

This submission simply requests that the subject property be removed completely from the Proposed Plan primarily because of the uncertainty and fear of what the rules will be under the Proposed Plan if and when it is fully approved.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

FILE NO. 500-88 SUBMISSION NO. 305

COUNSEL: George Shepherd

OWNER: Mrs. L. McLaren

LAND: Part West 1/2 Lot 15, Concession 1
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property consists of two parcels totalling some 18 acres and are designated partly Escarpment Rural and partly Escarpment Natural under the Proposed Plan.

This submission was to the effect that the subject lands be under the jurisdiction of the Melancthon Township Official Plan and zoning by-laws.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted this property will be removed from the Proposed Plan.

FILE NO. 500-94

SUBMISSION NO. 306

COUNSEL: George Shepherd

OWNER: Mrs. Jaunita Gallaugher

LAND: Part Lot 15, Concession 2
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property is a small farm of some 40 acres and is designated Escarpment Rural under the Proposed Plan. This submission requested that these lands be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

FILE NO. 500-87 SUBMISSION NO. 307

COUNSEL: George Shepherd

OWNER: Mrs. V. Hardman

SUMMARY OF SUBMISSION:

The subject property is a two acre parcel of land on the west side of Mill Lane in Hornings Mills and is designated Escarpment Rural and Escarpment Natural under the Proposed Plan. This submission requested that these lands be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted this property will be removed from the Proposed Plan.

FILE NO. 500-39

SUBMISSION NO. 308

OWNER: George Shepherd

LAND: Part Lot 14, Concession 2
Township of Melancthon

SUMMARY OF SUBMISSION:

The subject property consists of some 50 acres and is designated Escarpment Rural under the Proposed Plan. The submission requests that these lands be removed from the Niagara Escarpment Proposed Plan for the following reasons as set out by Mr. Shepherd:

1. Lands designated hamlet residential under local official plans.
2. Disagrees with concept of development control.
3. Since lands are on extreme edge of Plan, the Plan would not be affected adversely by the removal of these lands.
4. Disagrees with vagueness of development policies as set out in Section 2.9 of the Proposed Plan.

EXHIBIT:

188. Air photo showing property of George Shepherd, Township of Melancthon, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 267 (Township of Melancthon) is accepted these lands will be removed from the Proposed Plan.

FILE NO. 500-77 SUBMISSION NO. 309

OWNER: A.D. MacMillan

LAND: Part East 1/2 Lot 18, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property consists of two separate parcels containing approximately 18 acres and designated Escarpment Rural under the Proposed Plan.

This submission requests that these lands be removed from the Proposed Plan primarily because Mr. MacMillan does not want his lands included in any plan that in his opinion does not consider agriculture as a prime land use and also Mr. MacMillan feels that his lands, being some five miles from the actual scarp, do not really belong in a plan to protect the scarp.

EXHIBIT:

189. Air photo showing property of A.D. MacMillan, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the subject lands remain in the Plan.

REASONS:

While we have recommended in Submission 250 (Township of Mulmur) the removal of all Escarpment Rural designated lands from the Proposed Plan in this Township, in our opinion the retention of these Escarpment Rural designated lands in this case is required to provide an adequate buffer in this immediate area.

FILE NO. 500-75

SUBMISSION NO. 310

OWNER: Dr. and Mrs. V.R. Perry

LAND: South West 1/2 Lot 19, Concession 2 W.H.S.
West 1/2 Lot 18, Concession 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The two owners were represented by their son, Robert Perry, at the hearing. This property consists of some 150 acres and has been mainly planted in trees. It is the wish of the owners to be removed from the Plan and four main reasons were cited. These are as follows:

1. Mulmur Township already controls land use in the spirit the Niagara Escarpment Commission is setting out to accomplish.
2. Municipal government is more responsible to the people than the Niagara Escarpment Commission.
3. The Escarpment could become polluted by the public when lands are under control of the Niagara Escarpment Commission.
4. There are no legal assurances land uses permitted by the Niagara Escarpment Commission will not become even more stringent in the future.

EXHIBIT:

190. Air photo showing property of Dr. and Mrs. V.R. Perry, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated Escarpment Rural and retained in the Proposed Plan.

FILE NO. 500-29

SUBMISSION NO. 311

OWNER: Goetz Koechlin

LAND: Northwest Corner Lot 24, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Mr. Koechlin owns a 4.5 acre parcel of land near Honeywood in the Township of Mulmur. He is concerned that the Township has requested large areas of the Plan to be deleted. It is his opinion that the Proposed Plan is a good one and he also feels that because of the scope of the Plan that it is a good idea to have the terms of the Plan general in nature in order to give the planners wider scope. He feels that the Plan safeguards his property value but it is his opinion that too many applications to the Niagara Escarpment Commission have been successful. He is a member of the Bruce Trail Club and feels badly about the criticism it has received. Mr. Koechlin also feels that the local people could not handle the administration of the Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 500-73 SUBMISSION NO. 312

AGENT: Charles Hopkins, Principal

GROUP: Boyne River Natural Science School

SUMMARY OF SUBMISSION:

Mr. Hopkins pointed out that these lands are owned and operated by the Toronto Board of Education. The site is extensively used for outdoor education. He pointed out that some of the lands are located in the Escarpment Natural Area and there may be a need to build on the site in the future. They would like the same privileges as the Ministry of Natural Resources in developing parks.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the Proposed Plan will not interfere with the proper operation of the site by the Toronto Board of Education and if our recommendation in Submission 250 (Township of Mulmur) is concurred with the portion of land proposed for Escarpment Protection designation will revert to Escarpment Rural.

FILE NO. 500-76

SUBMISSION NO. 313

AGENT: Dr. Thomas Meredith

OWNER: C.T. Meredith

LAND: North 1/2 Lot 31, Concession 1 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Dr. Thomas Meredith appeared on behalf of the subject owner and presented a prepared brief. He supports the idea of Escarpment preservation but feels that agricultural lands should be removed from the Plan. It is his opinion that the difference between ecological and cultural conservation should be clarified. He feels that the Niagara Escarpment Commission's controls are an added burden to the farmer. This is one of those areas where the scarp is completely buried and can only be identified by the "Hewitt" definition. Dr. Meredith feels that the whole Proposed Plan should be reworked.

EXHIBIT:

191. Air photo showing property of C.T. Meredith, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted then these lands will be removed from the Proposed Plan.

FILE NO. 500-97 SUBMISSION NO. 314

OWNER: Mrs. Margaret Jarvis

LAND: Part East 1/2 Lot 14, Concession 6
Mono Township

SUMMARY OF SUBMISSION:

Mrs. Jarvis feels that her property which has been included in the proposed Escarpment Protection Area should be removed from the Proposed Plan. It is her opinion that she is 3.5 miles removed from the ridge of the Escarpment and the Bruce Trail. She has a fear that the controls will depreciate her property. One of the reasons why this property was designated in this manner was the proximity of a river although on examination some of the land adjacent to the river is proposed for an Escarpment Rural designation.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted these lands will be designated Escarpment Rural and remain in the Proposed Plan.

FILE NO. 500-18

SUBMISSION NO. 315

OWNER: Mr. Douglas Howes

LAND: Part South 1/2 Lot 6, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Howes who also appeared at the Phase I hearing (G 200-54) in Ancaster, again spoke and voiced his opposition to the Proposed Plan. He feels that the controls for land use should be left with the local municipalities. He does not agree with the concept of preserving the Escarpment where it lies below the ground. He also pointed out that in some areas where the buried scarp was marked on the map it was removed from areas which are proposed for control. He expressed the opinion that where the Escarpment lies beneath the ground it could hardly be considered to be scenic and apart from the technical or academic interest to the geologist, it does not appear to have any significant importance. He stated that not enough emphasis was placed on the social or economic impact to the municipality.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 500-26 SUBMISSION NO. 316

COUNSEL: Geoffrey T. Mullin

GROUP: Township of Mono

SUMMARY OF SUBMISSION:

The evidence on behalf of the Township of Mono was presented by Jack Cruttenden, a qualified planner. He pointed out that if approved the Niagara Escarpment Commission controls will cover 39.4% of the total Township lands. The witness outlined the planning history in this Township back to the formation of the planning board in 1953. He stated that it was the wish of the Township of Mono that where adequate controls exist at the present time that these areas be removed from development control; however, if an owner wishes to remain under Niagara Escarpment Commission control they should be permitted to do so. It was also pointed out that in most cases the general goals of the Township were not that different from the Niagara Escarpment Commission. In connection with Escarpment Natural Areas it is his opinion that for the most part these agree with the hazard areas identified in the local plan. Section 2.3 and 2.4 of the Proposed Plan were also dealt with and comments made on suitable changes. One point made was that the Mono Official Plan shows the Escarpment in the Plan whereas the Niagara Escarpment Commission's Proposed Plan does not. In Minor Urban Areas Violet Hill was not recognized and should be. In Escarpment Recreation Areas it was pointed out that some of the boundaries shown are not correct and that the local Plan permits activities other than just skiing. It was also pointed out that one lot (East 1/2 Lot 3, Concession 7) shown for mineral extraction has already been rehabilitated and may present difficulties with future use.

Several comments were made with respect to Section 2.9 and 2.10. In the matter of Section 3.0 of the Proposed Plan some difficulties may arise with respect to trail development. In the case of the proposed appeal procedure he takes strong issue with giving such wide notice. The witness agrees that where the Escarpment Natural Areas remain in the Plan they should be under development control but that in Escarpment Protection and Escarpment Rural Areas that controls be removed unless requested by individuals. He also feels that there should be an overall monitoring authority on a continuing basis.

EXHIBIT:

192. Curriculum Vitae - Francis John Cruttenden

RECOMMENDATION:

That the Proposed Plan in the Township of Mono be modified by the deletion of the Escarpment Rural designated lands, and that it be further modified by changing the Escarpment Protection designated lands to Escarpment Rural. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)

No recommendation necessary in connection with Violet Hill since this area would be removed by our recommendation herein.

REASONS:

Although the Township of Mono in this submission did not specifically request that certain lands be removed from the Proposed Plan we are of the opinion that the Township of Mono's evidence was such that their request was for deletion of a substantial portion of the Township that is included in the Proposed Plan.

Our recommendations, comments and reasons in the general section of this report include a recommendation that areas where the scarp is buried be treated differently from areas where the scarp is visible. From the evidence adduced in this submission and the evidence adduced in the Phase I, Submission 150 (G 700-102) which supports the fact that in this Township the scarp is largely buried led us to make this recommendation which is the same as made in Submission 250 (Township of Mulmur) since similar topography exists in the two municipalities.

FILE NO. 500-59 SUBMISSION NO. 317

OWNER: Eric and Phyllis White

LAND: West 1/2 Lot 6
South 1/2 of West 1/2 Lot 7, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Mr. White requested that his farm be removed from the Proposed Plan. Mr. White pointed out that he is the fifth generation of his family to farm the subject lands and cannot see how they bear any relation to the Escarpment. He pointed out that there is a drilled well on Lot 6 to a depth of 450 feet and no rock was encountered. He also stated that for 20 years he was on the Credit Valley Conservation Authority and had personally planted several thousand trees on his land. He feels that there are many ill considered factors in the Proposed Plan and in fact it devalues properties. He requests that control be returned to local authorities.

EXHIBIT:

193. Air photo showing properties of Eric and Phyllis White, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then the portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and the portion designated Escarpment Protection will be changed to Escarpment Rural and will remain in the Plan as a buffer to the Escarpment Natural Area.

FILE NO. 500-82 SUBMISSION NO. 318

AGENT: Ian F. MacNaughton, Planner

OWNER: Standard Industries Ltd.

LAND: Part Lot 3, Concession 7 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission concerned a property which is designated Mineral Resource but which has now been mined out and the land has been rehabilitated. Mr. MacNaughton feels that there must be some consideration given in the Proposed Plan dealing with permitted uses in rehabilitated areas. One method suggested by the witness of clearing up this problem would be to change the proposed designation from Mineral Resource to Escarpment Protection and Escarpment Rural on these lands. The witness also suggested certain changes to the wording of Section 2.8 as shown which would not require an amendment to the Plan.

RECOMMENDATION:

That these lands be designated Escarpment Rural.

REASONS:

On the basis of the evidence adduced and having regard to our recommendation in Submission 316 (Township of Mono), the proper designation of these lands is Escarpment Rural.

FILE NO. 500-15

SUBMISSION NO. 319

OWNER: Keith Halbert

LAND: Part West 1/2 Lot 15, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

Mr. Halbert read from a prepared brief and outlined some of the difficulties he has encountered in trying to dispose of his land. It was pointed out that at one time the Niagara Escarpment Commission asked for a restrictive covenant on his land and another time he was told that development would be a visual intrusion on the Bruce Trail. It was also pointed out that an application for a wayside pit to sell gravel to the Township had been refused. He also pointed out that he has encountered difficulties with hikers in the area around the limekilns and that he is not happy with areas marked for acquisition. He wishes to be removed from the Proposed Plan and placed under local controls.

EXHIBIT:

194. Air photo showing properties of Keith and Ruth Halbert, and son, David Halbert, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then the bulk of these lands will be changed from Escarpment Protection to Escarpment Rural and remain within the Proposed Plan.

FILE NO. 500-4 SUBMISSION NO. 320

COUNSEL: Geoffrey T. Mullin

OWNER: Edelbrock Bros. Ltd.

LAND: Part East 1/2 Lot 6, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is the subject of a plan of subdivision which is close to receiving draft approval. It is the only area of Mono Study Area No. 1 that is within the area covered by the Proposed Plan. This submission requests removal of these lands from the Plan.

EXHIBIT:

195. General Plan, Township of Mono, Suburban Study Area No. 1 - R.J. Burnside and Associates Ltd., Orangeville, Ontario - Drawing 101 - Scale: 1:2000. Map showing five areas of proposed development including Edelbrock Bros. Ltd. proposed development area three and Niagara Escarpment Proposed Plan designations.

RECOMMENDATION:

We recommend that the Proposed Plan be modified by the deletion of these lands.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted a portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural also be removed from the Proposed Plan.

FILE NO. 500-85

SUBMISSION NO. 321

OWNER: Howard Ferris

LAND: Part Lots 11 and 12, Concession 3 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject lands comprise some 50 acres and are designated Escarpment Protection under the Proposed Plan and are being actively farmed.

This submission requests that the Niagara Escarpment Commission be abolished or failing that that the subject lands be removed from the Proposed Plan since Mr. Ferris prefers dealing with the local council.

EXHIBIT:

196. Air photo showing property of Howard Ferris, Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation on Submission 250 (Township of Mulmur) is accepted then the portion of these lands designated Escarpment Protection will be changed to Escarpment Rural and remain in the Proposed Plan.

FILE NO. 500-58 SUBMISSION NO. 322

AGENT: Gordon Henry

OWNER: Kenneth and Pauline Henry

LAND: Part Lot 15, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property comprises some 80 acres which is designated Escarpment Protection under the Proposed Plan. This submission is concerned that because of the Plan and the proposed designation that what Mr. and Mrs. Henry considered to be their pension plan will no longer be the case and request that the designation be Escarpment Rural.

EXHIBIT:

197. Air photo showing property of Kenneth and Pauline Henry, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted then these lands will be designated Escarpment Rural and remain in the Proposed Plan.

FILE NO. 500-96

SUBMISSION NO. 323

AGENT: Earl Dodds

OWNER: Donald Robb

LAND: Part Lot 8, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is a one acre lot acquired by Mr. Robb in 1943 and is designated Escarpment Natural under the Proposed Plan.

This lot, while apparently an existing lot of record, has difficulties over and above those that the Proposed Plan may inflict such as not being able to obtain approval for a septic tank.

EXHIBIT:

198. Air photo showing property of Donald Robb, Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated.

FILE NO. 500-43 SUBMISSION NO. 324

OWNER: Mrs. Kathy Miller

LAND: East 1/2 Lot 28, Concession 1 E.H.S.
East 1/2 Lot 11, Concession 1 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This land comprises 100 acres of which 90 acres are under cultivation and 10 acres are a hardwood bush. It is designated Escarpment Protection under the Proposed Plan. This submission was primarily concerned with being allowed only one severance per 100 acres and requests that these lands be removed from the Proposed Plan.

The Millers own part of the east half of Lot 11, Concession 1 E.H.S. in the Township of Mono. Although this parcel is in the Proposed Plan it is not covered by development control and the request is that these lands also be removed from the Proposed Plan.

EXHIBIT:

199. Air photo showing property of Mrs. Kathy Miller, Township of Mono, County of Dufferin.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the subject properties. It is suggested that the Niagara Escarpment Commission give consideration to deleting all the other lands in Lots 26 to 32, Concessions 1 W.H.S. and 1 E.H.S. for which no requests for deletions were made at these hearings. It is further suggested that the Niagara Escarpment Commission give consideration to deleting the property immediately south of the subject property in Lot 11, Concession 1 E.H.S.

REASONS:

We are of the opinion on the basis of the evidence adduced that the deletion of these lands would not offend the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. 500-83 SUBMISSION NO. 325

OWNER: John R. Johnston

LAND: Part 4 of Lot 32, Concession 2 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property fronts on Highway 89 and is designated Escarpment Rural and Escarpment Natural under the Proposed Plan. The request by this submission is that the subject lands be removed from the Proposed Plan. It is noted that the lands directly across the highway in the Township of Mulmur are not covered by the Proposed Plan.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of these lands.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the portion of these lands designated Escarpment Rural in the Proposed Plan will be removed therefrom and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural should also be removed from the Plan.

FILE NO. S 500-107

SUBMISSION NO. 698

COUNSEL: George H. Shepherd

OWNER: Mr. and Mrs. Mervyn Ferris

LAND: Part Lots 13 and 14, Concessions 1 and 2 W.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This submission requests that the subject lands designated as Escarpment Protection be removed from the Proposed Plan or that the designation be changed to Escarpment Rural.

EXHIBIT:

530. Air photo showing property of Mr. and Mrs. Mervyn Ferris, Part Lots 13 and 14, Concessions 1 and 2 W.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted then the bulk of these lands will be changed to Escarpment Rural and remain in the Proposed Plan.

FILE NO. S 500-31 SUBMISSION NO. 699

OWNER: Keith J. McNenly

LAND: Part East 1/2 Lot 6, Concession 1 W.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property is proposed to be designated Escarpment Natural and Escarpment Rural. This submission requests that the property be removed from the Proposed Plan.

EXHIBIT:

531. Air photo showing property of Keith J. McNenly, Part E 1/2 Lot 6, Concession 1 W.H.S., Township of Mono, County of Dufferin.

RECOMMENDATION:

We recommend that the Proposed Plan be modified by deletion of these lands from the Plan.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted a portion of these lands designated Escarpment Rural will be removed from the Proposed Plan and in addition we are of the opinion on the basis of the evidence adduced that the portion designated Escarpment Natural also be removed from the Proposed Plan.

FILE NO. S 500-61

SUBMISSION NO. 700
(Written Only)

OWNER: L.S. Dodds

LAND: Part West 1/2 Lots 9 and 10, Concession 4 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission was in support of the position of the Council of the Township of Mono as expressed at the Phase I hearing in Owen Sound and with respect to the subject lands.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is concurred with then the portion of these lands designated Escarpment Protection in the Proposed Plan will be changed to Escarpment Rural and remain in the Plan.

FILE NO. S 500-78 SUBMISSION NO. 701

OWNER: Mr. and Mrs. H.P. Graham

LAND: East 1/2 Lot 31, Concession 5 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property comprises 100 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. The submission gave the opinion that the lands are not part of the Escarpment landform nor lands in its vicinity and requested that the property be removed from the Proposed Plan.

EXHIBIT:

532. Air photo showing property of Mr. and Mrs. H.P. Graham, East 1/2 Lot 31, Concession 5 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted the bulk of these lands will be changed from Escarpment Protection to Escarpment Rural and remain within the Proposed Plan.

FILE NO. S 500-79

SUBMISSION NO. 702

AGENT: Lynn Wilkinson

OWNER: Robert Wilkinson

LAND: Part East 1/2 Lot 32, Concession 1 E.H.S.
Part West 1/2 Lot 32, Concession 2 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

The subject property comprises 100 acres and is part of a 300 acre family farm operation. It is proposed to be designated Escarpment Protection, Escarpment Natural and Escarpment Rural. This submission, among other things, maintained that farming is not a part of the natural environment and further it requested that the subject property be removed from the Proposed Plan.

EXHIBIT:

533. Air photo showing property of Robert Wilkinson, Part E 1/2 Lot 32, Concession 1 E.H.S. and Part W 1/2 Lot 32, Concession 2 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 250 (Township of Mulmur) is accepted the portion designated Escarpment Rural will be deleted from the Proposed Plan and the portion designated Escarpment Protection will be changed to Escarpment Rural and remain in the Plan.

FILE NO. S 500-81 SUBMISSION NO. 703

OWNER: Wilson R. Still and Ruth Still

LAND: Part West 1/2 Lot 8, Concession 3 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

The subject property contains some 71.5 acres and is proposed to be designated Escarpment Protection and Escarpment Natural. The submission expresses the opinion that there is no need for the Niagara Escarpment Commission's Proposed Plan and requests removal from the Proposed Plan.

EXHIBIT:

534. Air photo showing property of Wilson R. Still, Part W 1/2 Lot 8, Concession 3 E.H.S., Township of Mono, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 316 (Township of Mono) is accepted the subject property will remain in the Proposed Plan with the portions designated Escarpment Protection changed to Escarpment Rural.

FILE NO. S 500-98

SUBMISSION NO. 704

OWNER: William Sloam

LAND: Part East 1/2 Lot 20, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

This property comprises some 68 acres and is proposed to be designated Escarpment Protection and Escarpment Rural. The submission only expressed the desire to be removed from the Proposed Plan.

EXHIBIT:

535. Air photo showing property of W. Sloam, Part E 1/2 Lot 20, Concession 1 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

That the subject lands remain in the Plan.

REASONS:

In our opinion the retention of the Escarpment Rural designated lands is required to provide an adequate buffer in the immediate area. There was no recommendation made on the Escarpment Protection designated lands in this submission because if our recommendation in Submission 250 (Township of Mulmur) is concurred with these lands will be designated as Escarpment Rural.

FILE NO. S 500-9 SUBMISSION NO. 705

COUNSEL: George Shepherd

GROUP: Niagara Escarpment Central Ratepayers Association

SUMMARY OF SUBMISSION:

This submission generally summarizes the wishes of this Association in Dufferin County and indicates support for positions taken by the Townships within the County that have lands included in the Proposed Plan and to show the importance of agriculture in Dufferin County. The submission then made the following recommendations:

1. In order to attempt to renew Niagara Escarpment Commission credibility among the agricultural community a liaison group be established to consist of a cross-section of the agricultural community within a county or region. This group could establish a working relationship with all concerned in order to maintain agriculture as a viable industry.
2. The Niagara Escarpment Commission prepare a thorough and comprehensive study and report on the entire agricultural industry within a county or a region along all of the planning area.
3. An agricultural policy be written for each county or region to promote agricultural production with the input of all agricultural organizations such as the Ontario Federation of Agriculture, Christian Farmers Federation, National Farmers Union, etc. Emphasis should be placed on the effect the plan will have on the economy of the municipality or region.
4. The Commission acknowledge that recreation and agriculture are not compatible.
5. The Commission should understand that there cannot

be restrictions placed on farmland within the Escarpment control area, restrictions which would not apply to the farms in the remainder of the municipality.

6. The Commission accept that municipal zoning by-laws be the preferred method of land use control.

EXHIBITS:

536. Township of Mono, Map 1, County of Dufferin. Additional markings indicate "land supported by public funds".

537. Map, Township of Mulmur, County of Dufferin. Additional markings indicate lands owned by the following: Government, school, Dufferin County and Township of Mulmur".

538. Map of the Township of Mulmur, County of Dufferin. Additional markings indicate land "owned by resident farmer" and "rented by resident/area farmer". Source 1981 assessment roll.

539. Township of Mono, Map 1, County of Dufferin. Additional markings indicate land "owned by resident farmer" and "rented by resident/area farmer". Source 1981 assessment role.

RECOMMENDATION:

None.

REASONS:

In recommendations found elsewhere in this report these matters are dealt with save and except for those issues raised that are not within our jurisdiction.

FILE NO. S 500-3 SUBMISSION NO. 706

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

This submission was in support of the Proposed Plan as it affects Dufferin County.

EXHIBIT:

540. A section of the Niagara Escarpment Commission Proposed Plan Map 4, County of Dufferin: Township of Mono, with additional markings indicating 52 property owners (43 in Proposed Plan and 9 outside Proposed Plan) supporting the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 500-102

SUBMISSION NO. 707

OWNER: Mr. and Mrs. A.G. Fells

LAND: West 1/2 Lot 22, Concession 7 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

Although the subject property is not within the area of the Proposed Plan the owners expressed support for the Niagara Escarpment Commission and the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 500-104 SUBMISSION NO. 708

OWNER: Robert J. Long

SUMMARY OF SUBMISSION:

This submission did not refer to any specific property but expressed support for the Proposed Plan while at the same time set out three areas of concern having to do with:

1. Administration.
2. Implementation.
3. Commitment to preserve the Escarpment in the future.

Mr. Long also stated the opinion that the Niagara Escarpment Commission should have other professional staff as well as planners so that proper information would be available to make decisions.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 500-106

SUBMISSION NO. 709

COUNSEL: E.R. Murray, Q.C.

OWNER: Mrs. Helen L. Murray et al

LAND: West 1/2 Lot 14, Concession 5 E.H.S.
Township of Mono

SUMMARY OF SUBMISSION:

This submission requested that the designation of the Monteclair Ski Centre be changed from Escarpment Recreation to that of the surrounding property.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones).

FILE NO. S 500-103 SUBMISSION NO. 710

OWNER: Mrs. Doreen B. Gariepy

LAND: East 1/2 Lot 14, Concession 4
Township of Mono

SUMMARY OF SUBMISSION:

This submission was in objection to the Escarpment Recreation designation placed on the Monteclair Ski Centre and requested removal of that designation to be replaced by the Escarpment Natural designation.

RECOMMENDATION:

None.

REASONS:

The subject of Monteclair Ski Centre lands is dealt with in Submission 257 (Joyce Jones).

FILE NO. S 500-7

SUBMISSION NO. 711

OWNER: James White

LAND: (a) Part West 1/2 Lot 31, Concession 3 E.H.S.
Township of Mono
(b) Part East 1/2 Lot 2, Concession 1 E.H.S.
Township of Mulmur

SUMMARY OF SUBMISSION:

Property (a) above is proposed to be designated Escarpment Natural and Escarpment Rural while property (b) is proposed to be designated Escarpment Natural and Escarpment Protection.

The property in Mono Township, (a), consists of approximately 70 acres and is not included in the area of development control. This submission requests removal of this property.

The property in Mulmur Township, (b), consists of approximately 92 acres and this submission requests its removal from the Proposed Plan.

This submission may be summarized as follows:

1. All reference to the Primrose-Mono Centre Geological Area be removed from the Plan.
2. My property in Mono Township and the surrounding areas which were never included or were taken from the development control area at the request of Mono Township in 1976 be permanently removed from the Plan.
3. My property in Mulmur Township be removed from the Plan. If the hearing officers cannot make this recommendation then I request they support a redesignation to Escarpment Rural Areas.
4. The system of development control be replaced by zoning by-laws to be administered by local township councils.

EXHIBITS:

541. Two Items:
  (a) Air photo showing property of James White, Part W 1/2 Lot 31, Concession 3 E.H.S., Township of Mono, County of Dufferin.
  (b) Air photo showing property of James White, Part E 1/2 Lot 2, Concession 1 E.H.S., Township of Mulmur, County of Dufferin.

RECOMMENDATION:

None.

REASONS:

Property A - If our recommendation in Submission 316 (Township of Mono) is accepted the portion of this property designated Escarpment Rural will be deleted from the Proposed Plan.
Property B - If our recommendation in Submission 250 (Township of Mulmur) is accepted the portion of the property designated Escarpment Protection will be changed to Escarpment Rural and remain in the Proposed Plan.

FILE NO. S 500-10

SUBMISSION NO. 712
(Written Only)

OWNER: Mrs. Leta Leeson

SUMMARY OF SUBMISSION:

This written submission was in total opposition to the Proposed Plan.

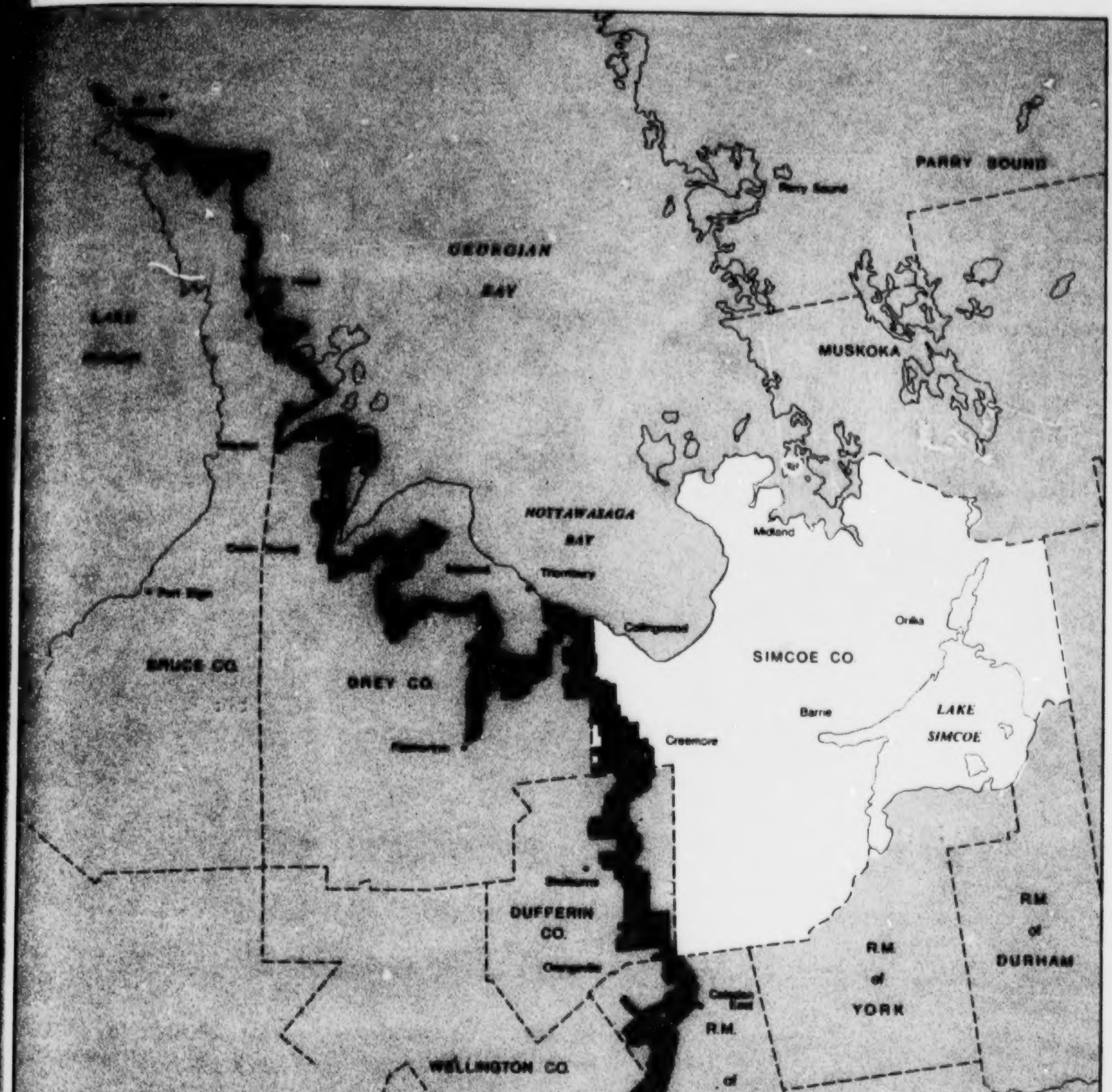
RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

COUNTY OF SIMCOE


NIAGARA ESCARPMENT
PROPOSED PLAN AREA
GEORGIAN BAY
PARRY SOUND
Parry Sound
MUSKOKA
NOTTAWASAGA BAY
Midland
Thornbury
Collingwood
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
Creemore
BRUCE CO.
GREY CO.
DUFFERIN CO.
Orangeville
WELLINGTON CO.
R.M. of YORK
R.M. of DURHAM
R.M. of PEEL
TORONTO
MISSISSAUGA
R.M. of WATERLOO
R.M. of HAMILTON -WENTWORTH
R.M. of HALTON
Oakville
LAKE ONTARIO
ONTARIO
NEW YORK
HAMILTON
BRANT CO.
R.M. of NIAGARA
R.M. of HALDIMAND - NORFOLK
Port Colborne
BUFFALO
LAKE ERIE

PHASE II HEARING

THE

COUNTY OF SIMCOE

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

COUNTY OF SIMCOE

Name	File Number	Submission Number	Page Number
Adam J. G.	600-3	476	1187
Arnold, Brink	S 600-42	720	1208
Best, G.	600-18	480	1192
Blue Mountains Bruce Trail Club	600-15	484	1196
Bookman, Mrs. V.	600-27	481	1193
Carmarthan Lake Farms Limited	S 600-47	728	1218
Coulter, R.	S 600-46	716	1204
Coutts, William	600-16	477	1188
Culham, Elwood	S 600-41	718	1206
Devil's Glen Ski Club	600-29	488	1200
Flack, Clifford	S 600-38	714	1202
Giffen, R.	S 600-40	717	1205
Heimbecker, Dr. and Mrs. Paul	600-24	486	1198

Name	File Number	Submission Number	Page Number
Latimer, William	S 600-50	729	1220
Millsap, Glen and Paul	S 600-39	715	1203
McLeod, Charles	S 600-44	721	1209
McLeod, Donald A.	S 600-45	722	1210
Noisy River Fishing Club	600-11	482	1194
Nottawasaga, Township of	600-1	475	1180
Royal, Curtis	S 600-36	713	1201
Ruttan, David	S 600-34	724	1213
Sceats, Hubert B.	600-25	479	1191
Scott, Harold	S 600-51	725	1215
Sharpe, Sam S.	600-7	483	1195
Shepherd, George and Ralph	S 600-35	726	1216
Shields, James	S 600-43	719	1207
Simcoe County Federation of Agriculture	600-8	487	1199
Simcoe, County of	600-26	474	1179
Taylor, Darrel	S 600-21	723	1211
Vogel, K.E.	600-4	485	1197
Weston, C.	S 600-37	727	1217
Wilkinson, Lynn	600-28	478	1189

PHASE II

GENERAL STATEMENT

COUNTY OF SIMCOE

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Simcoe for which a hearing was held at Collingwood together with a portion of the supplementary hearing held in Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 474 to 488 inclusive and 713 to 729 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submission for this section: 475.

In the County of Simcoe we have recommended in Submission 475 that certain areas be removed from the Plan and certain designations be changed from those proposed.

Several submissions in this sector (Simcoe) are dependent on the recommendations that were made in Submission 475 being accepted otherwise our recommendations on several individual submissions might have been to remove certain properties or to change designations.

Submissions in this category include the following: 477, 478, 479, 483, 486, 713, 714, 715, 716, 717, 718, 719, 722, 723, 724, 725, 726, 728 and 729.

PHASE II

COUNTY OF SIMCOE

SUMMARY

OF

SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 600-26

SUBMISSION NO. 474
(Written Only)

GROUP: County of Simcoe

SUMMARY OF SUBMISSION:

This letter of submission simply advised that the County of Simcoe had granted permission to the solicitor for the Township of Nottawasaga to make a presentation on behalf of the County if he deemed it necessary.

EXHIBIT:

364. A resolution passed by the Council of the County of Simcoe, dated November 17, 1981 and certified as a true and correct copy.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. 600-1 SUBMISSION NO. 475

COUNSEL: Paul Shaw and Brian McLellan

GROUP: Township of Nottawasaga

SUMMARY OF SUBMISSION:

Ross Raymond, a planner, gave evidence during the course of this submission and advised that the Township of Nottawasaga has been under a Minister's zoning order since February, 1970.

This submission set out the following specific concerns with respect to the Proposed Plan:

1. Part 2, Land Use Policies -
   Nottawasaga Township has considered the seven land use designations. While the objectives, designation criteria, land uses and practices that are suggested appear to be in keeping with appropriate planning practices, there are many areas in Nottawasaga Township in which the wrong designation is assigned.

2. Part 2, Section 2.3 and 2.4 -
   It is recommended that two new lots may be severed for every 40 hectares (100 acres) in the Escarpment Protection Areas as opposed to only one per 40 hectares as proposed. It is further recommended that new lots may be created in Escarpment Rural Areas subject to stipulations as set out in the local official plan. This provision would appear reasonable in that low density rural plans of subdivision or condominium are permitted in this designation which will be required to conform to the local official plan.

3. Part 2, Section 2.9.1 -
   The first three criteria appear to be acceptable. Criteria No. 4 however is unacceptable in that provision should be made for rebuilding existing uses in the same

location or subject to consent by the landowners and subject to municipal requirements in a more appropriate position and of varying size and use.

4. Part 2, Section 2.9.4
   Water Quality
   Restrictions as set out in Clause 1 (b) with respect to proximity of sewage systems to high water marks of lakes, tops of stream banks or ravines and the edge of any wetland should be concerns of the local Health Department and regulated exclusively by those departments.

5. Part 2, Section 2.9.5
   New Development Adjacent to Ravines
   Paragraph 4 stipulates that no form of structure should be placed on slopes in excess of 25% per cent. This aspect should be provided for in local official plans (hazard lands) and as such may be effectively regulated by local Conservation Authorities, Ministry of Natural Resources and/or the Ministry of the Environment.

6. Part 2, Section 2.9.7
   Agriculture
   Paragraph 2 contemplates the establishment of farm related buildings including one farm residence on viable farm units. The determination of "viability" should be left to the individual farmer and not left to the determination "in consultation with the Ontario Ministry of Agriculture and Food". The Commission should recognize that much of the Township of Nottawasaga is dependent on agriculture and a bureaucratic procedure for even the simplest of "farm-related buildings" would have the eventual effect of dissuading agriculture within the area affected by the Proposed Plan.

7. Part 2, Section 2.10.1
   Relationship to Local Official Plans and By-laws

Paragraph 3 should be amended to read: "Grants shall be made to municipalities towards the costs of preparing proposals ..." Amendments of official plans and zoning by-laws to recognize varying aspects of the Plan should be the Province's financial responsibility.

8. Part 3
   Escarpment Parks and Acquisition Policies
   As previously set out, Nottawasaga Township strongly opposes the use of acquisition by expropriation and supports the Commission's recommendations with respect to future acquisitions with Provincial funding.

9. Part 4, Section 4.1.7
   Development Control - Notification of Decisions
   This Township is strongly opposed to including on the notification list, the names of all persons requesting notification, thereby giving them the right to appeal. Distant persons (conceivably outside the Province) may appeal decisions or scores of members of the Bruce Trail Association for instance could consistently defeat or at least delay the development permit process. Notice of the decision (and the right to appeal) should be given only to the applicant, assessed owners of land within four hundred (400) feet of the subject property and the local municipality. If implementation of the Proposed Plan is made as recommended, through the new *Planning Act*, notification should as well go to the Ministry of Housing.

Exhibit 365 in these proceedings sets out the areas requested by the Township to be removed from the Plan although some of the lands shown in Part 3 of the Exhibit are requested to be changed to Escarpment Recreation.

The Township further requests that the following three mineral resource areas be designated in the southern part of the Township so that the southern parts of the Township's needs for sand, gravel and stone may be met locally rather than having to transport sand, gravel and stone into the area at an increased expense:

1. East half Lot 7, Concession 12
2. Lot 6, Concession 9
3. Part Lot 9 and 10, Concession 9

These are in areas requested by the Township of Nottawasaga to be removed from the Plan, but if these areas are not removed then the Township requests their redesignation as above.

EXHIBITS:

365. Niagara Escarpment Commission's Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Township of Nottawasaga proposed for redesignation/removal from the Proposed Plan.

366. A series of 208 photographs mounted on 23 sheets, numbered as (a) through (w), taken in the Township of Nottawasaga and indicated on Exhibit 365.

367. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 1: Groundwater Infiltration Areas; and Criterion 2: Headwaters and Surface Streams.

368. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 3: Natural Areas; Criterion 5: Forested Areas; and Criterion 8: Geological Areas.

369. Niagara Escarpment Commission Proposed Plan Map 5, County of Simcoe: Township of Nottawasaga, and County of Dufferin: Township of Mulmur. Additional markings placed on map by the Niagara Escarpment Commission indicating Criterion 6: Landscape Areas (1) Outstanding, (2) Very Attractive and (3) Attractive; Criterion 7: Public Access.

370. Map 2341, Paleozoic Geology, Collingwood - Nottawasaga, Scale: 1:50000 Ontario Division of Mines. Additional markings on map by the Niagara Escarpment Commission indicating the approximate location of the brow of the Niagara Escarpment and the approximate location of the base of the Niagara Escarpment.

RECOMMENDATIONS:

1. None concerning the general part of this submission.
2. That the Plan be amended or left as shown on Exhibit 365 as follows:
   3 (1) All to be Escarpment Rural.
   3 (2) Remain as Escarpment Protection.
   3 (3) All to be Escarpment Recreation from Escarpment Rural and Escarpment Protection.
3. That Part 1 on Exhibit 365 be deleted from the Proposed Plan.
4. That Part 2 on Exhibit 365 be deleted from the Proposed Plan.
5. That Part 4 on Exhibit 365 be deleted from the Proposed Plan.
6. That Part 5 on Exhibit 365 be deleted from the Proposed Plan.
7. That Part 6 on Exhibit 365 be deleted from the Proposed Plan.
8. That Part 7 on Exhibit 365 be deleted from the Proposed Plan.
9. That Part 8 on Exhibit 365 remain in the Proposed Plan and the designation not be changed.

10. That Part 9 on Exhibit 365 be deleted from the Proposed Plan.

REASONS:

1. We have attempted to answer many of the problems in the general parts of this submission in our recommendations, comments and reasons in the general section of this report.
2. This area is across the road from Osler Bluffs and we are of the opinion that the evidence was such that the changes requested by the Township of Nottawasaga should be complied with.
3. These lands are west of the Escarpment slopes and although they do include branches of the Noisy and Mad Rivers their deletion will not adversely affect the Plan. (Indeed throughout there are many branches of rivers not included in the Proposed Plan.)
4. These lands are west of the Escarpment slopes above the brow and over a mile from the scarp. Their deletion will not adversely affect the Plan.
5. These lands are east of the toe of the Escarpment and the evidence of the Niagara Escarpment Commission was that the toe is not clearly defined in this area. Their deletion on the basis of the evidence adduced will not adversely affect the Plan.
6. These lands are well east of a predominate Escarpment ridge and although the Niagara Escarpment Commission's evidence was that they are an important groundwater infiltration area we are of the opinion that their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act*.

7. These lands are primarily above the brow of the Escarpment and the lands across the road in Mulmur Township are not included in the Proposed Plan or are recommended for deletion in Submission 250 and their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act.*

8. These lands are primarily above the brow of the Escarpment and the lands across the road in Mulmur Township are not included in the Proposed Plan or are recommended for deletion in Submission 250 and their deletion will not interfere with the objectives of the Plan or the *Niagara Escarpment Planning and Development Act.*

9. We are of the opinion that the evidence was such that the lands in this part are properly designated and should remain within the Proposed Plan.

10. These lands are in a relatively flat area and appear to be a logical increase in Part 7 and we are of the opinion that their deletion will not harm the objectives of the Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 600-3 SUBMISSION NO. 476

OWNER: J.G. Adam

LAND: Part Lot 1, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal specifically with the subject property but covered general aspects of the Proposed Plan as it affects the Township of Nottawasaga. The submission expressed the opinion that effective controls can be provided without the Proposed Plan. It also stated that the "Government" must "swiftly provide funds to acquire and establish these parks if they wish to carry out their mandate to preserve the Escarpment". The submission also suggested that the Plan be amended to return the area of the Proposed Plan to local control.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 600-16 SUBMISSION NO. 477

OWNER: William Coutts

LAND: Part Lot 7, Concession 2
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 195 acres and is proposed to be designated Escarpment Natural and Escarpment Rural. Mr. Coutts stated that the subject lands are gently rolling and front on Highway 24 and lands to the north, south and west are not included in the Proposed Plan. This submission requested that the subject lands be removed from the Plan.

It should be pointed out that the witness for the Niagara Escarpment Commission stated that it was a "judgement call" to include these lands in the Plan and that they are included in the lands requested to be deleted by the Township of Nottawasaga (Submission 475).

EXHIBIT:

371. Air photo showing property of William Coutts, Part Lot 7, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. 600-28

SUBMISSION NO. 478

OWNER: Lynn Wilkinson

LAND:
Lot 1, Concession 7
Lot 1, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises 200 acres and is proposed to be designated mainly Escarpment Protection with a small portion as Escarpment Natural and the balance being about one quarter of the total property, as Escarpment Rural. This submission made the following recommendations and comments:

1. That the subject lands be removed from the Plan.
2. That recreation not be increased or encouraged in agricultural areas.
3. That the Proposed Plan is unnecessary.
4. That the Ontario economy is unable to finance a plan of this magnitude.

Witnesses for the Niagara Escarpment Commission pointed out that this land is in one of the areas requested to be removed from the Proposed Plan by the Township of Nottawasaga (Submission 475).

EXHIBIT:

372. Air photo showing property of Lynn Wilkinson, East 1/2 Lot 1, Concession 8, and West 1/2 Lot 1, Concession 7, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The general portion of this submission has been dealt with elsewhere in this report and the subject lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. 600-25

SUBMISSION NO. 479

OWNER: Hubert B. Sceats

LAND: Part Lots 38 and 39, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 294 acres of which approximately 144 acres are included in the Proposed Plan and proposed to be designated Escarpment Rural. Mr. Sceats requested that these lands be removed from the Plan. The lands are in the area that the Township of Nottawasaga requested be amended to be designated Escarpment Recreation.

EXHIBIT:

373. Air photo showing property of Hubert B. Sceats, Part Lots 38 and 39, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The subject property has been dealt with in Submission 475 (Township of Nottawasaga) and if that recommendation is accepted then the subject property will be designated Escarpment Rural and Escarpment Recreation and remain in the Proposed Plan.

FILE NO. 600-18 SUBMISSION NO. 480

OWNER: Glen Best

LAND: East 1/2 Lot 14, Concession 10
West 1/2 of East 1/2 Lot 13, Concession 10
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property comprises some 140 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. This submission expressed the opinion that the Proposed Plan is sound but is concerned with the "added bureaucracy". Mr. Best requested that the 50 acres in Lot 13 be changed to Escarpment Rural. This 50 acres is essentially rolling farmland.

EXHIBIT:

374. Air photo showing property of Glen Best, East 1/2 Lot 14, Concession 10 and West 1/2 of East 1/2 Lot 13, Concession 10, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We believe on the basis of the evidence adduced that this property is properly designated and should remain in the Proposed Plan.

FILE NO. 600-27

SUBMISSION NO. 481

OWNER: Mrs. V. Bookman

LAND: Part Lot 5, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is approximately 6 1/2 acres and is proposed to be designated Escarpment Natural and Escarpment Protection. This submission did not deal specifically with the subject property but expressed the opinion that the Niagara Escarpment Commission should be disbanded and that the area covered by the Proposed Plan be returned to local controls. This opinion was reinforced by a statement signed by the President of the Ruskview Women's Institute.

EXHIBIT:

375. Air photo showing property of Mrs. Vi Bookman, Part East 1/2 Lot 5, Concession 9, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 600-11 SUBMISSION NO. 482

AGENT: Robert Burrow

GROUP: Noisy River Fishing Club

LAND: Part Lot 6, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal with any specific property but stated that the club was concerned about lands recommended for public acquisition in the area. Mr. Burrow stated that the club has effective control of the Noisy River in this area by arrangement with private landowners. The club requested that it be allowed to have input before any acquisitions in the area be proceeded with to determine the effects on the area of the Noisy River controlled by the club.

RECOMMENDATION:

None.

REASONS:

Beyond our jurisdiction.

FILE NO. 600-7

SUBMISSION NO. 483

OWNER: Sam S. Sharpe

LAND:
Part Lot 14, Concession 7
Part Lot 7, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission did not deal with the designations proposed for the subject property but recommended that the Niagara Escarpment Commission proposals be rejected and the Niagara Escarpment Commission dissolved.

EXHIBIT:

376. Air photo showing property of Sam S. Sharpe, Part Lot 14, Concession 7, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This property has been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. 600-15 SUBMISSION NO. 484

AGENT: John Poste

GROUP: Blue Mountains Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission was in general support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 600-4

SUBMISSION NO. 485

OWNER: Kurt E. Vogel

LAND: Part Lot 19, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property consists of some 30 acres situated on Highway 24 opposite the Devil's Glen Country Club. It is proposed to be designated Escarpment Protection. Mr. Vogel requested that the designation be changed to Escarpment Recreation or the property removed from the Proposed Plan since it is his intention to develop it.

EXHIBIT:

377. Air photo showing property of Kurt E. Vogel, North 1/2 Lot 20, Concession 9, and Part West 1/2 Lot 19, Concession 9, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This matter is dealt with in recommendations, comments and reasons in the general section of this report. We believe that this property is properly designated and should remain in the Proposed Plan.

FILE NO. 600-24 SUBMISSION NO. 486

COUNSEL: Paul Shaw

OWNER: Dr. and Mrs. R. Heimbecker

LAND: Part Lot 38, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is approximately 93 acres of which 43 are proposed to be designated Escarpment Rural and the remaining 50 acres are not included in the Proposed Plan. These lands are in the area that the Township of Nottawasaga requested be changed to Escarpment Recreation. The lands are located almost across from Osler Bluffs Ski Resort and this submission requests the portion included in the Proposed Plan be changed to Escarpment Recreation.

EXHIBIT:

378. Air photo showing property of Dr. and Mrs. R. Heimbecker, Part Lot 38, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The subject property has been dealt with in Submission 475 (Township of Nottawasaga) and if that recommendation is accepted then the subject property will be designated Escarpment Rural and Escarpment Recreation.

FILE NO. 600-8

SUBMISSION NO. 487

AGENT: Garth Cubitt, President

GROUP: Simcoe County Federation of Agriculture

SUMMARY OF SUBMISSION:

This submission was general in nature and made the following comments:

1. Farming should not be over-regulated.
2. Concerned that farming will become a non-conforming use.
3. Not enough safeguards in the Proposed Plan to protect farm property from unauthorized recreational use.
4. Implementation should be by a local body.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 600-29 SUBMISSION NO. 488

AGENT:	Donald May
OWNER:	Devil's Glen Ski Club
LAND:	Lot 18, Concession 9 Township of Nottawasaga

SUMMARY OF SUBMISSION:

This submission was in support of the Escarpment Recreation designation proposed for this property and supported the dual role of the local municipality and the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 600-36

SUBMISSION NO. 713

COUNSEL:	Brian McLellan
OWNER:	Curtis Royal
LAND:	Part Lot 1, Concession 6 Part Lot 2, Concession 5 Township of Nottawasaga

---

SUMMARY OF SUBMISSION:

The subject lands comprise some 125 acres with the lands in Concession 6 proposed to be designated Escarpment Rural and those in Concession 5 Escarpment Protection. The land is gently rolling and according to Mr. Royal he can see no difference between the lands in Concession 6 with those in Concession 5. The request is that the lands be removed from the Proposed Plan.

EXHIBIT:

542. Air photo showing property of Curtis Royal, Part Lot 1, Concession 6, and Part Lot 2, Concession 5, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-38 SUBMISSION NO. 714

COUNSEL: Brian McLellan

OWNER: Clifford Flack

LAND: Part South 1/2 Lot 5, Concession 6
West 1/2 Lot 4, Concession 5
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise some 194 acres and are proposed to be designated Escarpment Protection with a small portion of the lands in Concession 5 proposed for Escarpment Natural. Mr. Flack stated that the land to the south is proposed to be designated Escarpment Rural and that he could see no difference. In any event, the request is that the subject properties be removed from the Proposed Plan.

EXHIBIT:

543. Air photo showing property of Clifford Flack, Part S 1/2 Lot 5, Concession 6, and West 1/4 Lot 4, Concession 5, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-39

SUBMISSION NO. 715

COUNSEL: Brian McLellan

OWNER: Glen Millsap and Paul Millsap

LAND: East 1/2 Lots 2, 3 and 4, Concession 6
East 1/2 Lot 6, Concession 6
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise some 600 acres and are proposed to be designated Escarpment Rural. This submission simply stated that the Millsaps have looked after the lands and requested that the subject properties be removed from the Proposed Plan.

EXHIBIT:

544. Air photo showing properties of Glen and Paul Millsap, East 1/2 Lot 2, 3 and 4 and East 1/2 Lot 6, Concession 6, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-46 SUBMISSION NO. 716

COUNSEL:	Brian McLellan
OWNER:	Ronald Coulter
LAND:	West 1/2 Lot 2, Concession 6 East 1/2 Lot 1 and 2, Concession 7 West 1/2 Lot 1, Concession 8 Lot 2, Concession 9 Township of Nottawasaga

---

SUMMARY OF SUBMISSION:

The subject property comprises some 668 acres and is proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural. The bulk of the subject lands are relatively flat and actively farmed. Mr. Coulter requested removal of these lands from the area of development control and the Proposed Plan. The subject lands are included in one of the areas requested to be deleted by the Township of Nottawasaga.

EXHIBIT:

545. Air photo showing properties of Ronald Coulter, West 1/2 Lot 2, Concession 6, East 1/2 Lot 1, Concession 7, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-40

SUBMISSION NO. 717

COUNSEL: Brian McLellan

OWNER: Robert Giffen

LAND: Part Lot 15 and 16, Concession 8
Part Lot 16, Concession 7
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property is a fairly large holding of which some 145 acres are included in the Proposed Plan and proposed to be designated Escarpment Rural with a small portion Escarpment Natural. This is a good operating farm and Mr. Giffen pointed out that in his opinion there is no difference between the parts of his holdings included in the Proposed Plan with those not in the Plan. It is requested that the subject lands be deleted from the Proposed Plan.

EXHIBIT:

546. Air photo showing property of Robert Giffen, Part Lots 15 and 16, Concession 7, and Part West 1/2 Lot 16, Concession 7, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-41 SUBMISSION NO. 718

COUNSEL: Brian McLellan

OWNER: Elwood Culham

LAND: Lot 14, Concession 11
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises 200 acres and is proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural and is an active operating farm. The land is mainly rolling in nature and Mr. Culham pointed out that the lands across the road are not included in the Proposed Plan. It is requested that the subject lands be removed from the Plan.

EXHIBIT:

547. Air photo showing property of Elwood Culham, Lot 14, Concession 11, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The portion of the subject lands designated Escarpment Rural have been recommended for deletion in Submission 475 (Township of Nottawasaga) and the balance of the lands in our opinion are properly designated and should remain in the Proposed Plan.

FILE NO. S 600-43 SUBMISSION NO. 719

COUNSEL: Brian McLellan

OWNER: James Shields

LAND: Part Lot 18, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject property consists of some 80 acres with the easterly 50 acres proposed to be designated Escarpment Rural and the balance Escarpment Protection, and is being actively farmed. In Mr. Shields' opinion these lands contain better soil than the lands across the road which are not included in the Plan. It is requested that these lands be removed from the Proposed Plan.

EXHIBIT:

548. Air photo showing property of James Shields, S 1/2 Lot 18, Concession 9, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The portion of the subject lands designated Escarpment Rural have been recommended for deletion in Submission 475 (Township of Nottawasaga) and the balance of the land in our opinion is properly designated and should remain in the Proposed Plan.

FILE NO. S 600-42 SUBMISSION NO. 720

COUNSEL: Brian McLellan

OWNER: Brink Arnold

LAND: South 1/2 Lot 11, Concession 9
Township of Nottawasaga

SUMMARY OF SUBMISSION:

These lands contain 100 acres that are proposed to be designated Escarpment Natural and Escarpment Protection. The lands are actively farmed and Mr. Arnold requested that the subject property be removed from the Proposed Plan.

EXHIBIT:

549. Air photo showing property of Brink Arnold, S 1/2 Lot 11, Concession 9, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that these lands are properly designated and on the evidence should remain in the Proposed Plan.

FILE NO. S 600-44

SUBMISSION NO. 721

COUNSEL: Brian McLellan

OWNER: Charles McLeod

LAND: North 1/2 Lot 11, Concessions 9 and 10
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The property comprises some 198 acres and is included in the Proposed Plan with proposed designations of Escarpment Natural and Escarpment Protection and is an operating farm. Mr. McLeod offered the opinion that lands to the west contain scarp bluffs but are not included in the Plan. Mr. McLeod requested that the subject lands be deleted from the Proposed Plan.

EXHIBIT:

550. Air photo showing property of Charles McLeod, N 1/2 Lot 11, Concessions 9 and 10, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that these lands are properly designated and on the evidence should remain in the Proposed Plan.

FILE NO. S 600-45 SUBMISSION NO. 722

COUNSEL: Brian McLellan

OWNER: Donald A. McLeod

LAND: Part Lot 11, Concession 8
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises 150 acres and is proposed to be designated Escarpment Rural. It consists mainly of rolling land that is actively farmed with a small stream that is dry in the summer. Mr. McLeod requested that the subject lands be removed from the Proposed Plan.

EXHIBIT:

551. Air photo showing property of Donald McLeod, Part Lot 11, Concession 8, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-21

SUBMISSION NO. 723

COUNSEL: George Shepherd

OWNER: Darrel Taylor

LAND: West 1/2 Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property comprises approximately 100 acres and is proposed to be designated mainly Escarpment Rural with a small portion Escarpment Natural. This land is requested to be removed from the Proposed Plan for the following reasons:

1. There are no Escarpment features on the property.
2. The lands to the east and south are farmed and are not considered as ecologically sensitive areas or having prominent Escarpment features. There is therefore no need to consider this property as being a buffer for an ecologically sensitive area or as a frame for the Escarpment scene.
3. The lands to the north and west are outside the planning area and there is no reason to include the Taylor farm lands within the planning area when these lands are out of it.

This submission also expressed disagreement with Section 2.9 because of the opinion that it will adversely affect agriculture.

EXHIBIT:

522. Air photo showing property of Darrel Taylor,
W 1/2 Lot 3, Concession 12, Township of Nottawasaga,
County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-34 SUBMISSION NO. 724

COUNSEL: George Shepherd

OWNER: David Ruttan

LAND: Lot 2 and Part Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

The subject lands comprise 250 acres and are proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural and are part of an active farm operation.

It is requested that these lands be removed from the Proposed Plan for the following reasons:

1. There are no Escarpment features and associated stream valleys, wetlands or forests which are relatively undisturbed on their farm. The existence of these features is the test for including lands in the Escarpment Natural Area. Please note under Section 2.2 at page 19, under the heading "Criteria for Designation", paragraph 4 that it is only the "most significant stream valleys and wetlands associated with the Escarpment" that are to be considered as included in the Escarpment Natural Area. There are no wetlands on the Ruttan farm and the creek which flows through it can by no stretch of the imagination be considered as "one of the most significant stream valleys".
2. The Ruttan farm is located on the westerly boundary of the Niagara Escarpment Planning Area. The lands across the road to the west of the farm are outside the area and they submit that their lands can just as easily be removed from the Plan also.

3. A working farm should be under municipal by-law land use zoning system where the zoning policies are oriented socially, economically and physically toward the agricultural industry and the needs of the rural community. The Ruttans do not want a farm with three different land use zones on it. It makes no sense to them to be zoned this way when the whole of their farm is used in the farm operation.

4. The Ruttans wish to be outside the planning area and escape from the development control concept of land use planning because it is too uncertain and expensive to comply with for the average citizen. The Proposed Plan is lacking in adequate farm land use policies and what proposals there are, such as contained in Section 2.9.1, sub-paragraph 2, 3 and 4 and in Section 2.9.2, sub-paragraph 1 and 2 and Section 2.9.7, are too restrictive, vague and almost meaningless so far as a farmer is concerned.

EXHIBIT:

553. Air photo showing property of David Ruttan, Lot 2 and Part Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-51

SUBMISSION NO. 725

COUNSEL: George Shepherd

OWNER: Harold Scott

LAND: Part Lot 3, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This property consists of 50 acres of farmland and is proposed to be designated Escarpment Protection and Escarpment Rural.

It is requested that these lands be removed from the Plan since they are on the westerly boundary of the Proposed Plan and also since the lands across the County Road 9 are outside the Plan. There are no Escarpment features on this property which justify them being included in either the Escarpment Protection or Escarpment Rural Areas.

EXHIBIT:

554. Air photo showing property of Harold Scott, Part Lot 3, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-35 SUBMISSION NO. 726

OWNER: George Shepherd and Ralph Shepherd

LAND: Part Lot 7, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This parcel contains about five acres that are proposed to be designated Escarpment Natural and Escarpment Rural.

This submission requested that the subject lands be removed from the Proposed Plan since there are no Escarpment features on the property and lands directly to the south and north are not included in the Plan.

EXHIBIT:

555. Air photo showing property of George Shepherd, Part Lot 7, Concession 12, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

These lands are recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-37

SUBMISSION NO. 727

OWNER: Clifford Weston

LAND: Part North 1/2 Lot 6, Concession 4
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This farm property consists of 100 acres that are proposed to be designated Escarpment Natural and Escarpment Protection. The Westons contend that the subject lands are four miles from the Escarpment. This submission requests that the lands be removed from the Proposed Plan.

EXHIBIT:

556. Air photo showing property of Clifford Weston, Part N 1/2 Lot 6, Concession 4, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

We believe this property is properly designated and should remain within the Proposed Plan.

FILE NO. S 600-47 SUBMISSION NO. 728

COUNSEL: Alexander E. Besse

OWNER: Carmarthan Lake Farms Limited

LAND: South 1/2 Lot 21, Concession 11
Lots 19 - 23, Concession 12
Township of Nottawasaga

SUMMARY OF SUBMISSION:

Of the total holdings of this company there are some 1,066 acres in the Township of Nottawasaga included in the Proposed Plan. They are proposed to be designated Escarpment Natural, Escarpment Protection and Escarpment Rural.

This submission expressed no concern with Escarpment Natural and Escarpment Protection designations but was concerned with the approximately 800 acres being actively farmed and proposed to be designated Escarpment Rural.

While this submission supported the criteria for the Escarpment Rural designation it is felt that such criteria did not apply to this property and further that the land across the road to the west is not in the Proposed Plan. The company's counsel stated the opinion that the property was "out of sight" of the scarp. The submission requested that all of the lands west of the Escarpment Natural designation portion be removed from the Proposed Plan.

EXHIBIT:

557. Air photo showing property of Carmarthan Lake Farms Ltd., Lots 19-23, Concession 12, and S 1/2 Lot 21, Concession 11, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

The majority of these lands have been recommended for deletion in Submission 475 (Township of Nottawasaga).

FILE NO. S 600-50

SUBMISSION NO. 729
(Written Only)

OWNER: William Latimer

LAND: Part West 1/2 Lot 6, Concession 6
Township of Nottawasaga

SUMMARY OF SUBMISSION:

This written submission simply requested that the designation be changed to allow Mr. Latimer's son to build a home on an adjoining separate lot.

EXHIBIT:

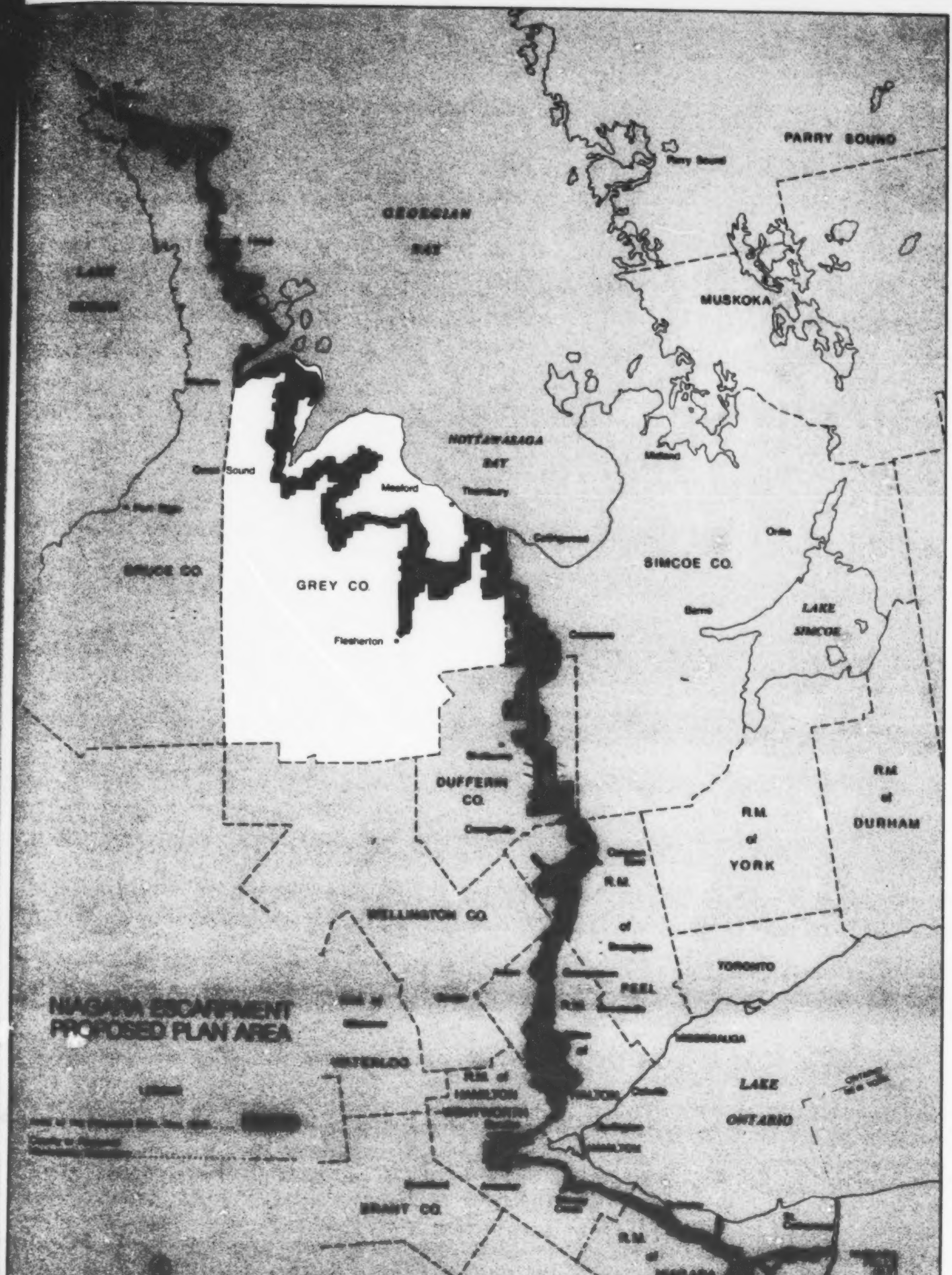
558. Air photo showing property of William Latimer, Part W 1/2 Lot 6, Concession 6, Township of Nottawasaga, County of Simcoe.

RECOMMENDATION:

None.

REASONS:

This property has been recommended for deletion in Submission 475 (Township of Nottawasaga).


NIAGARA ESCARPMENT
PROPOSED PLAN AREA
GEORGIAN BAY
LAKE HURON
PARRY SOUND
Parry Sound
MUSKOKA
NOTTAWASAGA BAY
Owen Sound
Meaford
Thornbury
Collingwood
Midland
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
BRUCE CO.
GREY CO.
Flesherton
DUFFERIN CO.
R.M. of DURHAM
R.M. of YORK
R.M. of PEEL
WELLINGTON CO.
TORONTO
LAKE ONTARIO
R.M. of WATERLOO
R.M. of HAMILTON-WENTWORTH
HALTON
BRANT CO.
R.M. of NIAGARA
R.M. of HALDIMAND-NORFOLK
Port Colborne
LAKE ERIE

COUNTY OF GREY

PHASE II HEARING

THE

COUNTY OF GREY

Niagara Escarpment Proposed Plan Hearing

Ontario

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

COUNTY OF GREY

Name	File Number	Submission Number	Page Number
Abernethy, Donald	700-81	454	1295
Ball, Lloyd	700-6	422	1259
Barnes, Arthur G.	700-23	457	1298
Barnes, Fred	700-85	424	1261
Baron, Garth	S 700-114	730	1327
Bassett, Dr. W.G.	S 700-115	731	1328
Beaver Valley Heritage Society	S 700-113	740	1337
Belbeck, Elroy	700-26	465	1306
Beldon, Jim	S 700-16	732	1329
Blaser, Eric	700-89	437	1275

Name	File Number	Submission Number	Page Number
Blue Mountain Bruce Trail Club	700-46	459	1300
Blue Mountain Resorts and Craigleith Developments	700-64	471	1318
Bruce Trail Association	700-60	463	1304
Bye, Mervyn, G. and Philip E.	S 700-125	695	1326
Cambray Investments Ltd.	700-40	467	1308
Campbell, Mervin	700-61	464	1305
Cheshire, Hubert	S 700-98	692	1323
Coalition on the Niagara Escarpment	S 700-5	742	1340
Cole, Cecil	700-38	453	1294
Coward, Mr. and Mrs. R.	700-8	423	1260
Cruikshank, Ross	700-57	462	1303
Dailey, Thomas, Earle and Donald	700-18	445	1285
Davenport, Fred	700-12	428	1265
Deakins, William and Ruby	700-105	413	1249
Dearie Contracting Limited	700-29	438	1276
Derby, Township of	700-103	407	1243
Dinsmore, David	700-80	449	1289
Federation of Ontario Naturalists	700-41	447	1287
Flanigan, Arnold	700-48	450	1290
Fox, Murray	700-84	416	1252
Francescut, Danny A.	700-96	448	1288
Gillies, Allan	700-2	425	1262
Grey, County of	700-72	405	1237
Halls, Donald D.	S 700-88	694	1325

Name	File Number	Submission Number	Page Number
Hamill, Stewart	700-90	451	1291
Hamilton, George	700-99	414	1250
Heimbecker, Dr. and Mrs. Paul	S 700-4	743	1341
Johnston, Alex	700-68	426	1263
Jones, Thomas N.	700-65	420	1256
Keppel, Township of	700-87	406	1241
King, Albert	700-112	468	1315
Kleefeld, Hans	S 700-119	733	1330
Kramer, Charlie	700-104	473	1321
Landherr, Mrs. Carrie	700-54	432	1269
Landherr, Roy	700-53	431	1268
Lesich Construction Company	700-47	409	1245
Leverty, Robert and Michael	700-95	739	1336
Lobban, Mrs. Joan	700-28	456	1297
Moos, Alfred	700-97	442	1282
Moos, Bernd	700-1	443	1283
McConnell, Herman	S 700-120	734	1331
McKay, Bruce N.	700-9	418	1254
McKessock, Robert	700-17	440	1280
McQueen, D.	700-108	470	1317
Ontario Trail Riders Association	700-86	469	1316
Owen Sound, City of	700-82	408	1244
Peterson, Mrs. Melva	S 700-83	693	1324
Porter, Mr. and Mrs. Robert and Porter, Robert Jr.	700-7	419	1255

Name	File Number	Submission Number	Page Number
Potter, Mrs. Irene	700-62	430	1267
Prange, Meryl	700-92	412	1248
Quinton, Mrs. Margaret	700-14	427	1264
Reid, Barry W.	700-76	435	1273
Reid, Robert W.	700-75	436	1274
Reid, Walter	700-77	434	1272
Rennie, R. Alonzo	700-11	429	1266
Rowland, D. J.	700-3	410	1246
St. Vincent, Township of	700-106	472	1320
Saugeen Field Naturalists	S 700-91	684	1322
Sceats, Thomas	700-107	415	1251
Scott, Walter	700-66	466	1307
Seabrook, Norman E.	700-13	421	1257
Simpson, Bruce P.	700-73	461	1302
Stephens, William	700-101	446	1286
Stone, Dr. Allan	700-74	444	1284
Sundance of Blantyre Limited	700-27	452	1292
Sutherland, Harold	700-24	458	1299
Sydenham Federation of Agriculture	700-16	433	1270
Taylor, Kenneth B.	700-42	441	1281
Teakles, Mrs. Dorothy	S 700-121	735	1332
Thompson, James, Allen and Freda	700-55	460	1301
Thompson, Robert C.	700-15	417	1253
Thompson, Sharon and Timothy	S 700-124	738	1335

Name	File Number	Submission Number	Page Number
Thompson, Lloyd	S 700-126	741	1339
Torrie, Alex	700-35	455	1296
Vance, Harvey	700-67	439	1279
Weinberg, Gerald	S 700-123	737	1334
Weile, Robert	S 700-122	736	1333
Wrigley, Harold	700-56	411	1247

PHASE II

GENERAL STATEMENT

COUNTY OF GREY

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Grey for which a hearing was held at Owen Sound together with a portion of the supplementary hearing held in Wiarton and Orangeville consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 405 to 473 inclusive, 684, 692 to 695 inclusive, and 730 to 743 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 405, 406, 407, 413, 414, 430, 438, 446, 467 and

472.

In the County of Grey we have recommended in Submissions 406 and 472 that certain areas be deleted from the Plan.

Two submissions in this sector (Grey) are dependent on the recommendations made in Submission 406 and 472, otherwise our recommendation on these two submissions might have been to delete the subject properties from the Plan. These two submissions are 426 and 449.

PHASE II

COUNTY OF GREY

SUMMARY

OF

SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 700-72 SUBMISSION NO. 405

AGENT: Ross Arthur, Planning Director

GROUP: County of Grey

SUMMARY OF SUBMISSION:

The County of Grey in its submission made the following comments and recommendations:

A. The area affected by the Proposed Plan can realistically be identified and perceived as being related to the Niagara Escarpment features.

B. The designations and policies of the Proposed Plan recognize varying environments along the length of the Escarpment.

C. The principle of providing flexibility in the Proposed Plan to accommodate local municipal circumstances and aspirations through the incorporation of appropriate planning policies in local official plans.

D. The implementation of the Proposed Plan by a development control system administered at the County level of government.

In addition to the above the County of Grey submits that the Proposed Plan does not appropriately recognize the need and considerable potential for tourism and recreational development in the Beaver Valley.

In this regard this submission continued as part of the supplementary hearings to deal specifically with the Beaver Valley Area as a result of a Secondary Plan Study undertaken by the Beaver Valley Planning Board and the Townships of Euphrasia and Artemesia.

The County of Grey then requested that consideration be given to several matters which are as follows:

1. That the areas identified as "Proposed Escarpment Recreation Areas" on the submitted exhibit be designated Escarpment Recreation Areas in order that desirable forms of development may occur subject to local official plan requirements. It is considered that these areas possess substantial potential for properly planned resort, recreational, residential development which could occur consistent with the purpose and objectives of the *Niagara Escarpment Planning and Development Act*. Any development would occur in accordance with the policies of the Escarpment Recreation Areas designation of the Proposed Plan and the local secondary plan policies. The latter which will provide detailed policies affecting such development and will require participation by the public, review by the Niagara Escarpment Commission and other affected ministries or agencies and approved by the Minister.

2. That the "Proposed Minor Urban Areas" boundaries shown on the submitted exhibit be accepted as being in compliance with the Proposed Plan for the purpose of considering future land use and development within the context of an approved detailed local official plan.

3. That an exception be made to the Escarpment Natural Area designation to permit downhill ski development between the resort centres of the Beaver Valley Ski Club and Talisman/Old Smokey as identified on the submitted exhibit shown as "Potential Ski Area".

NOTE: The "submitted exhibit" referred to in this submission was not entered as an exhibit but formed part of the written submission and is filed with that submission.

EXHIBITS:

559. Certified true copy of Resolution No. 7, dated May 25, 1982, Beaver Valley Planning Board, re: the firm of Ecological Services for Planning to represent this Board at the Niagara Escarpment Proposed Plan Hearing.

560. Certified true copy of a Resolution dated June 5, 1982, Township of Artemesia, accepting the proposed Secondary Plan of the Beaver Valley study and that Ross Arthur be appointed to present same at the Niagara Escarpment Proposed Plan Hearing.

561. Certified true copy of a Resolution dated June 3, 1982, Township of Euphrasia, approving in principal the results of the Technical Report and authorizes Ross Arthur to make such a presentation at the Niagara Escarpment Proposed Plan Hearing.

RECOMMENDATIONS:

1. That the areas recommended for change by the County of Grey and as shown on the map provided by the County of Grey forming part of its submission be accepted and the Proposed Plan be amended accordingly. (This recommendation will not preclude recommendations on individual submissions being at variance with this recommendation.)

2. None.

3. None.

REASONS:

1. The County of Grey and the Beaver Valley Planning Board prepared a comprehensive environmentally based study which forms the basis of a secondary

plan for the Beaver Valley Area. This report provided far more detail for its conclusions than the Niagara Escarpment Commission did in establishing its conclusions for this area of the Niagara Escarpment Proposed Plan. The evidence in this regard convinced us to recommend the requests of the County of Grey.

2. The explanation provided by the Niagara Escarpment Commission witness satisfied the County of Grey planner that this request is adequately provided for in the Proposed Plan.
3. The majority of this land is publicly owned and the Proposed Plan provides that downhill skiing can be implemented without an amendment to the Plan.

FILE NO. 700-87

SUBMISSION NO. 406

AGENT: Richard Hughes, Deputy Planning Director
County of Grey

GROUP: Township of Keppel

SUMMARY OF SUBMISSION:

1. The Township of Keppel is concerned about what it calls "the negative financial impact" which could be the result if all the lands suggested for public acquisition are acquired without changes in the present grant-in-lieu of taxes system.
2. In connection with the designation of a "Secondary Scarp" on Lots 39 to 45, Colpoys Range and Lots 1 to 22, Georgian Range, the Township of Keppel requests that the Escarpment Natural Area designation on the above lands, which represents a secondary scarp, be removed. In addition, the Township requests that the corresponding Escarpment Protection Area designation be removed from those lands to the north and east of the existing Township road.

EXHIBIT:

276. Niagara Escarpment Commission Proposed Plan Map 7, County of Grey, with additional markings by Richard Hughes, Deputy Planning Director, County of Grey, showing land requested for deletion and designation change.

RECOMMENDATIONS:

1. None.
2. That the Proposed Plan be amended to delete these lands as shown on Exhibit 276.

REASONS:

1. The matter of grant-in-lieu of taxes in our opinion is beyond our jurisdiction.
2. We accept the evidence of the Township of Keppel that these lands are not necessary to comply with the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act*.

FILE NO. 700-103

SUBMISSION NO. 407

AGENT: Richard Hughes, Deputy Planning Director
County of Grey

GROUP: Township of Derby

SUMMARY OF SUBMISSION:

The Township of Derby requests that the Escarpment Protection Area and Escarpment Rural Area designations on that portion of Lots 13 and 14, Concession 2, Township of Derby to the east of the Escarpment Natural Area designation be removed and replaced by an Urban Centre designation.

EXHIBIT:

277. Air photo of a portion of Derby Township, County of Grey, showing lands requested by the Township of Derby for change in designation.

RECOMMENDATION:

That the request of the Township of Derby to change the designation of the subject lands to Urban Centre be accepted and the Proposed Plan be so modified.

REASONS:

The existing development pattern convinces us that this area is urban in nature as confirmed by Exhibit 277.

FILE NO. 700-82

SUBMISSION NO. 408
(Written Only)

GROUP: City of Owen Sound

SUMMARY OF SUBMISSION:

This written submission made the following recommendations:

1. That City Council not oppose the designations of the Niagara Escarpment Plan as it relates to the City of Owen Sound.
2. That City Council support the recommendation of the Proposed Plan for the Niagara Escarpment that the planning area boundaries coincide with the boundaries of the Plan.
3. That City Council recommend that a Provincial Government agency exercise control over those areas designated Escarpment Natural to ensure consistency of interpretation of the Plan and the awareness by the body which will update the Plan of problems associated with its administration.
4. That the approval by the Ministry of Housing of an official plan or amendment thereto shall be deemed to constitute an amendment to the Niagara Escarpment Plan.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 700-47 SUBMISSION NO. 409

OWNER: Lesich Construction Company Limited

LAND: Lots 25 and 26
Township of Sydenham

SUMMARY OF SUBMISSION:

This submission was primarily concerned with the length of time it has taken to process a plan of subdivision on the above lands and still not have a registered plan in place.

The request of this submission is that the subject lands be removed from the control of the Niagara Escarpment Commission.

EXHIBIT:

278. Air photo showing property of Joseph Lesich, Lots 25 and 26, Concession 1 N.C.R., and Lots 41 and 42, Concession C, Sydenham Township, County of Grey.

RECOMMENDATION:

None.

REASONS:

We are of the opinion this property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-3 SUBMISSION NO. 410

OWNER: D.J. Rowland

LAND: North 1/2 Lot 8, Concession 2
Collingwood Township

SUMMARY OF SUBMISSION:

This submission was in general opposition to the Proposed Plan. Mr. Rowland's property is located next to the property owned by the Nottawasaga Conservation Authority which Mr. Rowland said is neglected.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 700-56

SUBMISSION NO. 411

OWNER: Harold Wrigley

LAND: Lot 32, Concession 24
Township of Keppel

SUMMARY OF SUBMISSION:

The subject property consists of 100 acres which is being used as pasture land and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan. It is also in an area proposed for acquisition.

Mr. Wrigley says he wishes to retain ownership of his land and requests removal from the Proposed Plan.

EXHIBIT:

279. Air photo showing property of Harold Wrigley, Lot 32, Concession 24, Keppel Township, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion the site is properly designated and should remain in the Proposed Plan.

The matter of land acquisitions has been dealt with elsewhere in this report.

FILE NO. 700-92 SUBMISSION NO. 412

OWNER: Meryl Prange

LAND: Part Lot 41, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

At the hearing Mr. Prange stated that he agreed with the proposed designation of Escarpment Protection suggested for his property but also stated that a more restrictive designation should be placed on neighbouring property.

RECOMMENDATION:

None.

REASONS:

This property is included in the area recommended for deletion in Submission 406 (Township of Keppel).

FILE NO. 700-105

SUBMISSION NO. 413

OWNER: William and Ruby Deakins

LAND: Lot 21, Concession 20
Township of Keppel

SUMMARY OF SUBMISSION:

The subject land is not included in the Proposed Plan as indicated by Exhibit 272 being an errata sheet as filed by the Niagara Escarpment Commission. The Deakins appeared for clarification purposes only.

RECOMMENDATION:

That the subject lands be deleted from the Proposed Plan.

REASONS:

The Niagara Escarpment Commission advised the hearing that these lands had been included in the Proposed Plan in error.

FILE NO. 700-99

SUBMISSION NO. 414
(Written Only)

OWNER: George Hamilton

LAND: Lot 21, Concession 21 and 22
Lot 20, Concession 22
Township of Keppel

SUMMARY OF SUBMISSION:

The subject lands were included in the Proposed Plan in error and by Exhibit 272, being an errata sheet, the Niagara Escarpment Commission indicated the error. This written submission agrees that the lands should not be included in the Proposed Plan.

RECOMMENDATION:

The subject lands be deleted from the Proposed Plan.

REASONS:

The subject lands were included in error in the Proposed Plan.

FILE NO. 700-107

SUBMISSION NO. 415

OWNER: Thomas Sceats

LAND: Part Lot 12, Concession 1
Township of Collingwood

SUMMARY OF SUBMISSION:

By Exhibit 272 the Niagara Escarpment Commission advised that the subject lands were designated Escarpment Recreation in the Proposed Plan and should have been designated Escarpment Protection.

Mr. Sceats appeared and requested that the proposed designation remain as Escarpment Recreation.

RECOMMENDATION:

None.

REASONS:

This is such an insignificant piece of land that it would hardly warrant the change in designation and in any event it follows the road deviation.

FILE NO. 700-84 SUBMISSION NO. 416

OWNER: Murray Fox

LAND: Part Lots 12, 13 and 14, Colpoys Range
Part Lot 12, Concession 25
Township of Keppel

SUMMARY OF SUBMISSION:

This submission deals with 272 acres of land designated Escarpment Natural, Escarpment Protection and Escarpment Recreation as can be seen from Exhibit 280. The area to the west of this property was taken out of the Proposed Plan in its most recent form and the above owner takes great exception to it. A request is made to be taken out of the Proposed Plan or the acquisition of the subject land by a public authority.

EXHIBIT:

280. Air photo showing property of Murray Fox, Part Lots 12, 13 and 14, Colpoys Range; Part Lot 12, Concession 25, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

We believe this land is properly designated and should remain in the Proposed Plan even though Lots 9, 10 and 11 which are adjacent are not included in the Plan but should have been according to the evidence adduced by the Niagara Escarpment Commission at the hearing.

FILE NO. 700-15 SUBMISSION NO. 417

OWNER: Robert C. Thompson

LAND: Part Lot 9, Concession 4
Township of Collingwood

SUMMARY OF SUBMISSION:

The submission is made regarding approximately 176 acres of land in the above ownership designated as Escarpment Protection in the Proposed Plan. It is requested that these lands be re-designated Escarpment Recreation so that plans for development not permitted by the Escarpment Protection designation may proceed. The Escarpment it alleges is three to four miles to the east of this property which has not been farmed for over 75 years and is incapable of being used for this endeavour. There is a registered plan of subdivision for 90 to 100 building lots half built on immediately north and east of this owner's land. He has been granted several severances on the subject property.

EXHIBIT:

281. Air photo showing property of Robert C. Thompson, Part Lot 9, Concession 4, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that the subject lands are properly designated. If our recommendation concerning estate residential development in the Escarpment Protection designation is accepted then application may be made for such development.

FILE NO. 700-9 SUBMISSION NO. 418

OWNER: Bruce N. McKay

LAND: Lot 77, Concession 3
Township of Derby

SUMMARY OF SUBMISSION:

This owner of the above lot makes the request that his property be removed from the development control area at once. It is located in the area locally referred to as the "Sunset Strip". The North Grey Secondary Plan designates the land as space extensive commercial according to the brief and the owner doesn't like that designation but at any rate we are not dealing with that document. According to the brief a development permit has been refused based on the problems of deficiencies in the water supply and sewage treatment facilities in this area. Exception is also taken to permits granted to others in the area.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-7 SUBMISSION NO. 419

OWNER: Mr. and Mrs. Robert Porter and
Robert Porter Jr.

LAND: Part Lots 23, 24 and 25, Concession 26
Lot 26, Concession 26
Part Lots 31 and 32, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

The subject lands are some 467 acres and are being actively farmed. They are shown in the Proposed Plan designated as Escarpment Rural, Escarpment Protection and Escarpment Natural. The owners are not in support of the Proposed Plan and want all their lands removed from it. This submission also objects to a portion of the lands being shown for acquisition.

EXHIBIT:

282. Air photo showing property of Mr. and Mrs. Robert Porter and Robert Porter Jr., Part Lots 23, 24 and 25, Concession 26; Lot 26, Concession 26; and Part Lots 31 and 32, Concession 26, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan and the matter of acquisition of lands is dealt with elsewhere in this report.

FILE NO. 700-65 SUBMISSION NO. 420

OWNER: Thomas N. Jones

LAND: Part Lot 37 and 38, Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

This owner is concerned as to whether he can have a single family dwelling erected on each half of the two five acre lots (37 and 38) sometime in the future. Failing this assurance, he would request that his land be removed from development control and all future control of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-13

SUBMISSION NO. 421

OWNER: Norman E. Seabrook

LAND: Part Lot 2, Concession 12
Part Lot 3, Concession 12 E.G.R.
Township of Holland

SUMMARY OF SUBMISSION:

The owner of the above described lands, two parcels, totalling some 49 acres and designated as Escarpment Protection, Escarpment Rural and Escarpment Natural, wants these lands removed from the Proposed Plan. He is opposed to the *Niagara Escarpment Planning and Development Act*, the activities to date of the Niagara Escarpment Commission in preparing the Proposed Plan and the contents of said Plan. The owner made reference to a two acre lot, part of the above and stated that he is not able to sell it attributing the cause to its inclusion in the Proposed Plan. In referring to the other large parcel, Lot 3 designated Escarpment Rural with a small portion Escarpment Natural he said that no rock cliff was present or apparent on these lands. The planning process should revert back to local control.

EXHIBIT:

283. Air photo showing property of Norman S. Seabrook,
Part Lot 3, Concession 12 E.G.R., Township of
Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

This submission also indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 700-6

SUBMISSION NO. 422

OWNER: Lloyd Ball

LAND: Part Lots 28, 29 and 30, Concession 25
Part Lot 29, Concession 23
Township of Keppel

SUMMARY OF SUBMISSION:

This submission requests that such of the lands as indicated above that are within the Proposed Plan be removed to facilitate a possible sale. These lands are designated Escarpment Natural and Escarpment Protection in the Proposed Plan. The part of Lot 28 above referred to is not in the Plan.

EXHIBIT:

284. Air photo showing property of Lloyd Ball, Part Lots 28, 29 and 30, Concession 25; and Part Lot 29, Concession 23, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion the lands have been properly designated and should remain within the Proposed Plan.

FILE NO. 700-8

SUBMISSION NO. 423
(Written Only)

OWNER: Mr. and Mrs. R. Coward

LAND: South Part of Lot 2, Concession 11
Township of Holland

SUMMARY OF SUBMISSION:

The submission requests that the above property be deleted from the Proposed Plan. It also expresses the opinion that the Holland Township planning controls are sufficient to protect the Escarpment.

EXHIBIT:

285. Air photo showing property of Mr. and Mrs. R. Coward, South Part Lot 2, Concession 11 E.G.R., Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

These lands have been properly designated and should remain within the Proposed Plan.

FILE NO. 700-85

SUBMISSION NO. 424

OWNER: Fred Barnes

LAND: Part Lot 5, Concession 4
Part Lot 4, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission deals with 75 acres of land in the Beaver Valley designated Escarpment Natural, Escarpment Protection and proposed acquisition area. The owner agrees that there is need for certain controls but feels that more extensive development than is now contemplated can be accommodated in the Escarpment Protection Area. In brief his proposal is as follows:

> That a portion of this property designated Escarpment Protection be allowed to develop under either the extension of the Minor Urban Centre designation to this property or by applying the Escarpment Recreation designation to it.

EXHIBIT:

286. Air photo showing property of Fred Barnes, Part Lot 5, Concession 4; and Part Lot 5, Concession 4, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the possibility of plans of subdivisions for low density development in the Escarpment Protection Areas is accepted then an application for such development may be made.

FILE NO. 700-2 SUBMISSION NO. 425

OWNER: Allan Gillies

LAND: Lot 1, Concession 2
Township of Collingwood

SUMMARY OF SUBMISSION:

This owner was concerned only with the fact that a strip of this property at the back was marked for acquisition. If there is assurance this property will not be taken there is no objection to its designation as Escarpment Natural or its inclusion in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The matter of acquisition has been dealt with elsewhere in this report.

FILE NO. 700-68

SUBMISSION NO. 426

OWNER: Alex Johnston

LAND: South 1/2 Lot 18, Georgian Range
Township of Keppel

SUMMARY OF SUBMISSION:

This owner expressed concern about certain features of the Proposed Plan including the need for clarification of certain clauses therein. His main opposition revolved around difficulties experienced in procuring severances, although he eventually received what he requested.

RECOMMENDATION:

None.

REASONS:

These lands are included in the area recommended for deletion in Submission 406 (Township of Keppel).

FILE NO. 700-14 SUBMISSION NO. 427

OWNER: Mrs. Margaret Quinton

LAND: Lots 27, 28, 29 and 30, Concession 12
The Village Survey
Township of Holland

SUMMARY OF SUBMISSION:

This owner expressed her opposition to the *Niagara Escarpment Planning and Development Act* and the Proposed Plan. She wants the planning controls returned to the municipalities as they can best deal with the future of the Township.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 700-12

SUBMISSION NO. 428

OWNER: Fred Davenport

LAND: Lots 34 and 35, Concession 17
Part Lot 34, Concession 20
Lots 41 and 42, Concession 21
Township of Keppel

SUMMARY OF SUBMISSION:

The gist of this submission is that the above lands be completely removed from the Proposed Plan. The owner is of the opinion that the Proposed Plan discriminates against those within its confines, and believes another level of control is completely unnecessary. He requested that all planning administration be placed back under the local muncipalities.

EXHIBIT:

287. Two Items:
- (a) Air photo showing property of Fred Davenport, Lots 34 and 35, Concession 17, Township of Keppel, County of Grey.
- (b) Air photo showing property of Fred Davenport, Part Lot 34, Concession 20; and Lots 41 and 42, Concession 21, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

These lands in our opinion, based on the evidence, are properly designated in the Proposed Plan.

FILE NO. 700-11 SUBMISSION NO. 429

OWNER: R. Alonzo Rennie

LAND: Part Lot 30, Concession 11
Township of Euphrasia

SUMMARY OF SUBMISSION:

This owner has 328 acres of land but only the property described above, some 100 acres, is within the Proposed Plan. These lands are designated Escarpment Natural and Escarpment Protection. His concern is possible interference with his farming operation if the lands remain within the Plan. There are sufficient controls presently in existence and he requests that his land be removed from the Proposed Plan.

EXHIBIT:

288. Air photo showing property of R. Alonzo Rennie, Part Lot 30, Concession 11, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

It is our opinion that the lands are properly designated and should remain within the Proposed Plan.

FILE NO. 700-62

SUBMISSION NO. 430

OWNER: Mrs. Irene Potter

LAND: Part Lot 11, Concession 12
Township of Sydenham

SUMMARY OF SUBMISSION:

This owner requests that her 29 acre parcel designated Escarpment Rural be removed from the Proposed Plan.

EXHIBIT:

289. Air photo showing property of Irene Potter, Part Lot 11, Concession 12, Township of Sydenham, County of Grey.

RECOMMENDATION:

The subject land be removed from the Proposed Plan.

REASONS:

It is apparent that the exclusion of these lands will not effect the objectives of the *Niagara Escarpment Planning and Development Act* or the Proposed Plan and witnesses for the Niagara Escarpment Commission indicated that it was not critical that they remain within the Plan.

FILE NO. 700-53 SUBMISSION NO. 431

AGENT: Fred Davenport

OWNER: Ray Landherr

LAND: Lot 16, Plan 825
Township of Keppel

SUMMARY OF SUBMISSION:

Mr. Landherr was reluctant to come to the hearing but requested through his agent that both of his properties be removed from the Proposed Plan.

EXHIBIT:

290. Air photo showing property of Ray Landherr, Lot 16, Plan 825 (Part Lot 27, Concession 17) Township of Keppel, County of Grey; and property of Mrs. Carrie Landherr, Part Lot 26, Concession 19, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-54 SUBMISSION NO. 432

AGENT: Fred Davenport

OWNER: Mrs. Carrie Landherr

LAND: Part Lot 26, Concession 19
Township of Keppel

SUMMARY OF SUBMISSION:

This submission simply requested the removal of this property from the Proposed Plan.

EXHIBIT:

290. Air photo showing property of Ray Landherr, Lot 16, Plan 825 (Part Lot 27, Concession 17) Township of Keppel, County of Grey; and property of Mrs. Carrie Landherr, Part Lot 26, Concession 19, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-16 SUBMISSION NO. 433

AGENT: William McKee, Director

GROUP: Sydenham Federation of Agriculture

SUMMARY OF SUBMISSION:

This group was very pleased with the area of the Proposed Plan being reduced and a fewer number of restrictions but still have many concerns which were expressed in a brief. The following recommendations were made:

1. That Ontario Regulation 118/74 be repealed and the Niagara Escarpment Planning Area be defined as the area extending 300 metres on either side of the main axis of the Escarpment, defined in relation to its edge or the highest contour, adjusted to include any publicly owned land adjacent to the Escarpment.
2. That all agricultural lands of Classes 1 to 4 and farm related buildings located within the planning area be exempted from controls of the Plan as long as the lands and buildings are used for agricultural purposes.
3. That the Bruce Trail be treated in the same manner as scenic drives under the provisions of the Proposed Plan and that no special legislation be requested or enacted and no public money be used to stabilize the route of the trail but that it continue as it has in the past to be a volunteer achievement between the Bruce Trail Association and cooperative landowners.
4. That the preservation of the Niagara Escarpment is not essential to the welfare of the citizens of the Province and therefore any and all reference to the use of expropriation as a method of acquiring title to land in the *Niagara Escarpment Planning and Development Act* be deleted and that the Niagara Escarpment Commission

not be granted the powers of an expropriation body.

5. That a less costly less time consuming and more positive method than development control be used to implement the Plan.

RECOMMENDATION:

None.

REASONS:

1. This matter is not within our jurisdiction.
2. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
3. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
4. This matter is dealt with in recommendations, comments and reasons in the general section of this report.
5. This matter is dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 700-77 SUBMISSION NO. 434

OWNER: Walter Reid

LAND: Springbank Chalet Farms
Lot 1, Concession 1
Township of Sydenham
Lot 1, Concession 12
Township of Holland

SUMMARY OF SUBMISSION:

Mr. Reid has a family farm which has been in the family for almost 100 years. In his brief he suggested that all agricultural lands from Classes 1 to 6 be removed from the Proposed Plan. He also doesn't like the idea of having a park cluster adjacent to his farming operation which could lead to land use conflicts.

EXHIBIT:

291. Air photo showing property of Walter Reid, Part Lot 1, Concession 1, Township of Sydenham, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this site is properly designated and should remain in the Proposed Plan.

FILE NO. 700-76

SUBMISSION NO. 435

AGENT: Walter Reid

OWNER: Barry W. Reid

LAND: Lot 1, Concession 12
Township of St. Vincent

SUMMARY OF SUBMISSION:

The owner requests that his property be removed from the Proposed Plan. This is a string 100 acres which are operated in conjunction with Springbank Chalet Farms Limited (Submission 434).

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence adduced we are of the opinion that the lands should remain within the Plan.

FILE NO. 700-75 SUBMISSION NO. 436

AGENT: Walter Reid

OWNER: Robert W. Reid

LAND: Lot 4, Concession 10
Township of Holland

SUMMARY OF SUBMISSION:

This property comprises approximately 93 acres and is operated in conjunction with Springbank Chalet Farms Limited (Submission 434). He pointed out that there was a mapping error in the Proposed Plan which showed lands north of him as public lands which was not the case. He requested that his lands be removed from the Proposed Plan.

EXHIBIT:

292. Air photo showing property of Robert William Reid, Lot 4, Concession 10, Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

These lands are properly designated according to the evidence adduced and should remain within the Proposed Plan.

FILE NO. 700-89

SUBMISSION NO. 437

COUNSEL: Paul Shaw

OWNER: Eric Blaser

LAND: West 1/2 Lot 16, Concession 5
Part Lot 15, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

The property in Concession 5 is proposed as Escarpment Rural and that in Concession 3 is Escarpment Protection and Escarpment Recreation. This individual wants to be able to put a plan of subdivision on his lands.

EXHIBIT:

293. Air photo showing property of Eric Blaser, west 1/2 Lot 16, Concession 5; and Part Lot 15, Concession 3, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

The applicant appeared to be satisfied by the explanation given by the Niagara Escarpment Commission's staff at the hearing.

SUBMISSION NO. 438

FILE NO. 700-29

COUNSEL: R.W. Macauley, Q.C.

OWNER: Dearie Contracting Limited

LAND: South 1/2 Lot 9, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

The subject lands are proposed to be designated Escarpment Natural and Escarpment Protection and are located in the Beaver Valley. The property is located just north of Talisman and Old Smokey and consists of some 107 acres. Mr. Macauley wants the Escarpment Recreation Area extended north to include his client's lands. A qualified planner, Donald F. Given, who had done a study on the potential of downhill skiing in the Province which included the Beaver Valley gave evidence. It is intended that this site be used at the base of the scarp only, with some form of commercial development for overnight accommodation or more extended periods. Mr. Given feels that the Beaver Valley contains the last major resource for downhill skiing. The proposal will in essence provide living accommodation for the skiers at Talisman and Old Smokey. It was pointed out also that the projected development would aid the economy of the Beaver Valley and provide additional jobs. Mr. Macauley stated that his client would be willing to donate the Escarpment Natural Area if permission to change the remaining area to Escarpment Recreation was permitted.

EXHIBITS:

294. Air photo No. 1. Site Analysis: Dearie Contracting Limited, Scale: 1:2500. Date: September, 1981. Job No. 79:033. The Malone Group Limited.

295. Curriculum Vitae - Donald F. Given

296. Map of Canada, Department of Energy, Mines and

Resources, Survey and Mapping Branch, 1970: 1 inch equals 100 miles. Additional red dots placed on map by Donald F. Given, indicating study areas where master park plans, dealing with the environment have been conducted by Given.

297. Air photo No. 2. Existing Conditions: Dearie Contracting Limited, Scale: 1:2500, Date: September 1981. Job No. 79:033. The Malone Group Limited.

298. Air photo No. 3 . Proposed Concept: Dearie Contracting Limited. Scale: 1:2500, Date: September 1981. Job No. 79:033. The Malone Group Limited.

299. Subject property: Dearie Contracting Limited. Cross-section Through Site. Date: September 1981. Scale: 1:2000. The Malone Group Limited.

300. Niagara Escarpment Commission Proposed Plan Map 6, County of Grey: Township of Artemesia, Township of Collingwood, Township of Euphrasia, Township of Osprey and Township of St. Vincent. Additional markings placed on map by Donald F. Given, indicating his concept of the area he considers to be the Beaver Valley.

301. Air photo showing property of Dearie Contracting Limited, south 1/2 Lot 9, Concession 5, Township of Euphrasia, County of Grey.

RECOMMENDATION:

That the Proposed Plan be modified to change the designation on the subject lands to Escarpment Recreation.

REASONS:

A good portion of the subject property has already been recommended for Escarpment Recreation in Submission 405 (County of Grey).

It was also admitted at the hearing by the Niagara Escarpment

Commission's staff that if these lands had been owned by Talisman they would have been designated Escarpment Recreation. In any event ownership is no criterion for land use planning.

We are of the opinion, on the basis of the evidence adduced, that the change to Escarpment Recreation will be in keeping with the objectives of both the Proposed Plan and the *Niagara Escarpment Planning and Development Act*.

FILE NO. 700-67 SUBMISSION NO. 439

AGENT: Bruce McKay

OWNER: Harvey Vance

LAND: Lot 17, Concession 5
Township of Derby

SUMMARY OF SUBMISSION:

Mr. Vance wants his property removed from the Proposed Plan and feels that in passing the *Niagara Escarpment Planning and Development Act*, the Ontario Government deprived a minority group of its democratic rights which are still enjoyed by the majority.

RECOMMENDATION:

None.

REASONS:

The subject site is not included in the Proposed Plan.

FILE NO. 700-17 SUBMISSION NO. 440

OWNER: Robert McKessock, M.P.P.

LAND: Part Lots 4 and 5, Concession 8
West 1/2 Lot 3, Concession 9
Township of Holland

SUMMARY OF SUBMISSION:

This submission did not deal specifically with this property but expressed general opposition to the Proposed Plan. Mr. McKessock expressed his opinion that it is unrealistic for the various Bruce Trail Associations to think that the trail should be continuous.

EXHIBIT:

302. Air photo showing property of Robert McKessock, Part Lots 4 and 5, Concession 7; and West 1/2 Lot 3, Concession 9, Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment, although the subject of the Bruce Trail is dealt with elsewhere in this report.

FILE NO. 700-42

SUBMISSION NO. 441

OWNER:	Kenneth B. Taylor
LAND:	Lots 37 and 38, Concession 22 Lots 36 and 37, Concession 21 Part Lots 38 and 39, Concession 24 Lot 13, Plan RD-77 Township of Keppel

---

SUMMARY OF SUBMISSION:

Mr. Taylor operates a beef farm on some 540 acres and wants his lands removed from the Proposed Plan. It appears that some of his property is shown in the acquisition area.

EXHIBITS:

303. Two Items:
    (a) Air photo showing property of Kenneth B. Taylor, Lots 37 and 38, Concession 22; Lots 36 and 37, Concession 21, Township of Keppel, County of Grey.
    (b) Air photo showing property of Kenneth B. Taylor, Part Lots 38 and 39, Concession 24; and Lot 13, Plan RD-77, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan and the subject of property acquisition is dealt with elsewhere in this report.

FILE NO. 700-97 SUBMISSION NO. 442

AGENT: Bernd Moos

OWNER: Alfred Moos

LAND: Part Lot 13, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

The subject property is proposed for the Escarpment Protection designation in the Proposed Plan and the owner wishes to have his lands removed from the Plan. The owner would like to be able to sever off the back portion of his holdings and stated if he had this undertaking he would be willing to accept the designation of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-1

SUBMISSION NO. 443

OWNER: Bernd Moos

LAND: Part Lot 10, Concession 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Moos stated that he purchased his property in 1971, which consists of approximately 51 acres, and would like the ability to create estate lots. He, therefore, wants to be removed from the Proposed Plan. The subject property is proposed to be designated Escarpment Protection.

EXHIBIT:

304. Air photo showing property of Bernd Moos, East Part Lot 10, Concession 6, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence this property has been properly designated and if our recommendations with respect to allowing low density plans of subdivision in the Escarpment Protection designation is accepted then an application may be made for such development.

FILE NO. 700-74 SUBMISSION NO. 444

OWNER: Dr. Allan Stone

LAND: Part Lot 18, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

Dr. Stone has a holding of some 50 acres in the Beaver Valley on which he built a residence about six years ago. He is in total support of the Proposed Plan and would be opposed to any change in designations in the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 700-18

SUBMISSION NO. 445

OWNER: Thomas, Earl and Donald Dailey

LAND: Part Lots 28 and 29, Concession 20
Township of Keppel

SUMMARY OF SUBMISSION:

Earl Dailey spoke on behalf of his two sons. Donald has 197 acres in Part Lots 28 and 29, Concession 20; whereas Thomas has about four acres in Part Lot 29, Concession 20. Donald operates a farm and feels that good farmland should be removed from the Plan. He stated that these lands which are proposed to be designated Escarpment Protection are about four or five miles from the Escarpment.

EXHIBIT:

305. Air photo showing property of Thomas, Earl. Donald and David Dailey, Part Lots 28 and 29, Concession 20, Township of Keppel, County of Grey; Thomas, Earl and Donald Dailey, Part Lot 29, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

This property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-101 SUBMISSION NO. 446

OWNER: William Stephens

LAND: Lot 27, Concession 8
Township of Artemesia

SUMMARY OF SUBMISSION:

Mr. Stephens owns and operates a dairy farm and would like his farm removed from the Proposed Plan because he does not wish any encumbrances on the land since he is nearing retirement.

EXHIBIT:

306. Air photo showing property of William Stephens, Lot 27, Concession 8, Township of Artemesia.

RECOMMENDATION:

That the Proposed Plan be modified by the deletion of the subject property.

REASONS:

The removal of these lands in our opinion will not detract from the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act.*

FILE NO. 700-41

SUBMISSION NO. 447

AGENT: Dr. Stewart Hilts

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

Dr. Hilts appeared on behalf of the Federation of Ontario Naturalists and indicated his total support for the Proposed Plan. He did have some recommendations to make which are as follows:

1. The Plan should provide a strong framework for protection, control must be exerted.
2. Recreation Areas must protect Natural Areas, put a policy in the Plan for ski areas.
3. No transportation and utilities in Natural Areas.
4. Provide money for acquisition, landowners must be given some certainty.
5. Acquisition areas should be expanded.
6. Information in making the Plan should go to local planners.
7. There should be voluntary agreements with owners by having a tax incentive.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 700-96 SUBMISSION NO. 448

COUNSEL: B. Boyce

OWNER: Danny A. Francescut

LAND: Lots 16, 17 and 18, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Boyce appeared on behalf of his client to confirm the proposed designations in the Proposed Plan. It appears his client's 100 acres are in the Escarpment Recreation Area and the whole submission was more in the way of seeking information.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. 700-80

SUBMISSION NO. 449

OWNER: David Dinsmore

LAND: North 1/2 Lot 2, Concession 5
Township of St. Vincent

SUMMARY OF SUBMISSION:

Mr. Dinsmore owns 100 acres of what he describes as prime agricultural land on which he raises beef and hogs. He is in a proposed Escarpment Protection Area but would like his land removed from the Proposed Plan. He would as a farmer simply like to be free of controls to operate his farm.

EXHIBIT:

307. Air photo showing property of David Dinsmore, north 1/2 Lot 2, Concession 5, Township of St. Vincent, County of Grey.

RECOMMENDATION:

None.

REASONS:

A portion of this property may have been deleted* in our recommendation in Submission 472 (Township of St. Vincent) and the balance of the property is properly designated and should remain within the Proposed Plan.

---

* Uncertainty arises due to the scale of mapping available to us.

FILE NO. 700-48 SUBMISSION NO. 450

OWNER: Arnold Flanigan

LAND: Part Lot 40, Concession 23
Township of Keppel

SUMMARY OF SUBMISSION:

This submission concerns 20 acres of land designated Escarpment Rural in the Proposed Plan and presently put to hay. It is a corner lot adjacent to the Escarpment and has a home erected thereon. The owner has future plans for development and requests that his lands be removed from the Plan.

EXHIBIT:

308. Air photo showing property of Arnold Flanigan, Part Lot 40, Concession 23, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject property is properly designated and should remain within the Proposed Plan.

FILE NO. 700-90

SUBMISSION NO. 451

OWNER: Stewart E. Hamill

LAND: Lot 2, Concession 7
Township of Sydenham

SUMMARY OF SUBMISSION:

This owner made reference in this submission to land in addition to the above owned by him and other relatives. He expressed his satisfaction with the Proposed Plan and the designations given their properties.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 700-27 SUBMISSION NO. 452

COUNSEL:	Jack A. Seed, Q.C.
OWNER:	Sundance of Blantyre Limited
LAND:	Lot 1, Concession 9 East 1/2 Lot 1, Concession 10 Township of St. Vincent West 1/2 Lot 29, Concession 8 North Part Lot 29, Concession 9 Township of Euphrasia

---

SUMMARY OF SUBMISSION:

This submission concerns itself with about 600 acres of land designated Escarpment Natural, Escarpment Protection and Escarpment Rural in the Proposed Plan and is a working farm. The owners believe they have been discriminated against by their inclusion in the Plan since other similar properties around them have not been included. They are of the opinion that they do not require another layer of government administering their lands. Disenchantment was expressed regarding the activities of the Bruce Trail on the property and also with the maintenance of the existing Provincially owned lands in the area. It is requested that all of their acreage in the Proposed Plan be removed from it.

EXHIBIT:

309. Air photo showing property of Sundance of Blantyre Limited, Lot 1, Concession 9; East 1/2 Lot 1, Concession 10, Township of St. Vincent, County of Grey; and West 1/2 Lot 29, Concession 8; and North Part Lot 29, Concession 9, Township of Euphrasia, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-38 SUBMISSION NO. 453

OWNER: Cecile Cole

LAND: Lot 37, Concession 23
Lot 36, Concession 24
Township of Keppel

SUMMARY OF SUBMISSION:

The above owner is opposed to the Proposed Plan and believes many of the regulations are too onerous to live with. He has a 100 acre farm that has been in the family for four generations. The lands are designated Escarpment Rural and Escarpment Natural. Although he expressed his concerns regarding his ability to sell timber from the land to help pay off the mortgage if the Plan's regulations are in effect, his main point of contention appears to be the effect inclusion in the Plan would have on a possible sale of the property. He wants his lands removed from the Proposed Plan.

EXHIBIT:

310. Air photo showing property of Cecile Cole, Lot 37, Concession 23; and Lot 36, Concession 24, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-81

SUBMISSION NO. 454

OWNER: Donald Abernethy

LAND: Part Park Lots 48 and 49
Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

The above lots are shown in the Proposed Plan in the Escarpment Natural and Escarpment Protection designations. It is the position of the owner that he should be permitted some development on the above land and may have been able to do so were it not for objections raised by the Niagara Escarpment Commission.

EXHIBIT:

311. Air photo showing property of Donald Abernethy, Part Park Lots 48 and 49, Town Plot of Brooke, Township of Sarawak, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion based on the evidence the subject lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-35 SUBMISSION NO. 455

OWNER: Alex Torrie

LAND: West 1/2 Lot 1, Concession 9
East 1/2 Lot 2, Concession 9
East 1/2 Lot 3, Concession 8
Township of Holland

SUMMARY OF SUBMISSION:

The above lands are actively farmed and have been included in the Proposed Plan as Escarpment Protection and Escarpment Rural. Some 300 acres are involved and the owners state that they feel threatened by the Proposed Plan. It is felt that local authorities can better administer control affecting Township lands. There is no evidence of the visible scarp on these properties, it is contended, although the owner does agree that on the lands where such does exist there should be some form of protection, but apparently not by the Niagara Escarpment Commission. It is requested that all of these lands be removed from the Proposed Plan.

EXHIBIT:

312. Air photo showing property of Alex Torrie, West 1/2 Lot 1, Concession 9; East 1/2 Lot 2, Concession 9; and East 1/2 Lot 3, Concession 8, Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-28

SUBMISSION NO. 456

AGENT: William Lobban

OWNER: Mrs. Joan Lobban

LAND: Part Lot 7, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 6 1/4 acres of land proposed for acquisition in the Proposed Plan as part of a Nature Reserve better known as "Old Baldy" referred to on page 41 of the Proposed Plan. The owner requests that the red line around the property denoting future acquisition be removed from the said lands and the suggestion is made that an Escarpment Protection designation would be more appropriate. Exception is taken to the Niagara Escarpment Commission assessment of the designation it proposes on these lands and the size of the proposed park of 100 acres is deemed unwarranted and an unjustified cost to the Ontario taxpayers.

RECOMMENDATION:

None.

REASONS:

The matter of proposed acquisition areas has been dealt with elsewhere in this report.

FILE NO. 700-23 SUBMISSION NO. 457

COUNSEL:	J.F. Laing
OWNER:	Arthur G. Barnes
LAND:	North 1/2 Lot 2, Concession 4 Township of Collingwood

SUMMARY OF SUBMISSION:

The above named owner of 100 acres of land designated largely Escarpment Rural with a pie shaped portion shown as Escarpment Natural and marked for future acquisition requests that the red line denoting acquisition be removed from his property. It was pointed out that the Escarpment Natural Area of his property lies to the north of a large tract of land with a similar designation known as Grey County Forest. He questions why his small parcel should be part of the 950 acres sought to be acquired to increase this forested area to 2,950 acres.

RECOMMENDATION:

None.

REASONS:

The matter of proposed acquisition areas is dealt with elsewhere in this report.

FILE NO. 700-24

SUBMISSION NO. 458

OWNER: Harold Sutherland

LAND: Part Lots 27 and 28, Concession 17
Township of Keppel

SUMMARY OF SUBMISSION:

This submission concerns 75 acres of land south of Bass Lake designated Escarpment Protection and Escarpment Natural in the Proposed Plan. The owner wants to develop this acreage in housing and has not met with any degree of success. He urges the hearing officers to recommend removal of these lands from the Proposed Plan.

EXHIBIT:

313. Air photo showing property of Harold Sutherland, Part Lots 27 and 28, Concession 28, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-46 SUBMISSION NO. 459

AGENT: John R. Poste, President

GROUP: Blue Mountains Bruce Trail Club

SUMMARY OF SUBMISSION:

This submission on behalf of the above mentioned Club was made by John R. Poste, its President. The brief outlined the Bruce Trail location in this area and noted the fact that three miles of its fifteen mile length is on public roads which present some dangers to hikers. He suggests that this danger could be removed if the trail could be moved on to private property and expressed his willingness to negotiate with owners to this end. Concern was expressed at the use of the Bruce Trail by snowmobiles, snowshoers and skiers all of which pose a problem of erosion and he recommends that some other accommodation be worked out for them. The Club is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 700-55 SUBMISSION NO. 460

OWNER: James, Allen and Freda Thompson

LAND: Lots 33 and 34, Concession 26
Township of Keppel

SUMMARY OF SUBMISSION:

This property is a 185 acre parcel designated Escarpment Natural and Escarpment Protection in the Proposed Plan with the Escarpment Natural portion recommended for acquisition. The owners are not happy with the regulations of the Proposed Plan and wish their property to be removed.

EXHIBIT:

314. Air photo showing property of James, Allen and Freda Thompson, Part Lots 33 and 34, Concession 26, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

On the basis of the evidence it is our opinion that this property is properly designated and should remain in the Proposed Plan.

FILE NO. 700-73

SUBMISSION NO. 461

OWNER: Bruce P. Simpson

LAND: Part Lot 10, Concession 2
Township of St. Vincent

SUMMARY OF SUBMISSION:

The evidence indicated that the 20 acres this man owns is outside the boundaries of the Proposed Plan and he will be subject to local control only.

RECOMMENDATION:

None.

REASONS:

Property not in the Proposed Plan.

FILE NO. 700-57

SUBMISSION NO. 462

OWNER: Ross Cruikshank

LAND: Part Lots 4 and 5, Concession 1
Lots 13, 14, 15, 16 and 43
Town Plot of Brooke
Township of Sarawak

SUMMARY OF SUBMISSION:

This submission indicated that the owner has had trouble trying to get a severance and as a result a development permit from the Niagara Escarpment Commission in the past and would like to have all of his lands removed from the Proposed Plan.

EXHIBIT:

315. Air photo showing property of Ross Cruikshank, Part Lots 4 and 5, Concession 1; and Town Plot of Brooke, Township of Sarawak, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Plan.

FILE NO. 700-60 SUBMISSION NO. 463

AGENT: Douglas Robertson

GROUP: Bruce Trail Association

SUMMARY OF SUBMISSION:

Mr. Robertson read a brief which supports the Proposed Plan and pointed out that his Association actually owns 29 acres of land in the Beaver Valley Area of the Township of Euphrasia. It was pointed out, however, that the Association would like the range of uses reduced for Escarpment Natural Areas and in particular that single family homes be excluded as a use in the Escarpment Natural Areas.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 700-61

SUBMISSION NO. 464

OWNER: Mervin Campbell

LAND: West 1/2 Lot 11, Concession 2
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Campbell stated that although he owns 100 acres of land he is not a full time farmer and his concern is about the word "compatible". It is proposed to have an Escarpment Protection Area designation on his property. He indicated that farmers don't wish to be limited in what they can do because it may hinder loans at the bank. He also pointed out that the 25 acres of bush on his property has great potential for logging and stated "the bush is your bank".

EXHIBIT:

316. Air photo showing property of Mervin Campbell, West 1/2 Lot 11, Concession 2, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 700-26 SUBMISSION NO. 465

OWNER: Elroy Belbeck

LAND: West Part Lot 3, Concession 10
Township of Holland

SUMMARY OF SUBMISSION:

The subject property consists of about 85 acres and is proposed to be designated both Escarpment Natural and Escarpment Protection in the Proposed Plan. He stated that the land has been cleared for agriculture since 1870 and has been timbered at least twice in the last 100 years. Mr. Belbeck is totally opposed to the *Niagara Escarpment Planning and Development Act* and to the Proposed Plan.

EXHIBIT:

317. Air photo showing property of Elroy Belbeck, West 1/2 Lot 3, Concession 10 E.G.R., Township of Holland, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, the land is properly designated and should remain in the Proposed Plan.

FILE NO. 700-66

SUBMISSION NO. 466

OWNER: Walter Scott

LAND: Part Lot 4, Concession 7
Township of Sydenham

SUMMARY OF SUBMISSION:

Mr. Scott owns 50 acres of land which he describes as very scenic and would be a good place to build on. He feels that having controls on his property makes it unsaleable and he would like to get the top market value for the land in question. It appears about 3/4 of the property is in the Escarpment Natural Area.

EXHIBIT:

318. Air photo showing property of Walter Scott, Part Lot 4, Concession 7, Township of Sydenham, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this land is properly designated and should remain in the Proposed Plan.

FILE NO. 700-40 SUBMISSION NO. 467

COUNSEL: John Keefe and Rosalyn Houser

OWNER: Cambray Investments Ltd.

LAND: Part Lots 12, 13 and 14, Concession 5 and 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Keefe at the outset of the submission pointed out that his client has no objection to the Escarpment Natural Area proposed for a portion of the subject lands in the Proposed Plan and as a matter of fact the owner would be willing to dedicate these lands to any appropriate body. The main issue here is the area proposed for an Escarpment Protection Area which the owner seeks to have modified to an Escarpment Recreation Area. It is the intention of the Company to construct a country type inn as well as detached units which may be condominiums. The purpose is to have a year round type of recreational facility. It is the contention of this applicant that the existing Escarpment Recreation designation does not include recreation from a tourism point of view. It was pointed out that it would be a great mistake to limit recreational development to existing uses and that development should be based only on the clearest planning evidence. There should be studies carried out to determine whether the existing Escarpment Recreation Areas will satisfy the need both now and in the future. Mr. Keefe also pointed out in his opening statement that the *Niagara Escarpment Planning and Development Act* does not prohibit development but seeks to control it by not hurting the Escarpment and that there must be a balance between recreation and other uses. It was contended also that the Proposed Plan is an existing use map and not a planning map.

David Paul, an employee of the Ministry of Tourism and Recreation, was called to give evidence. He gave certain statistics with respect to tourism in the Grey-Bruce Area relating to the people employed in the industry as well as the income generated. He pointed out that the Beaver Valley was different to the Collingwood Area and attracted a different type of visitor. In his opinion the Beaver Valley is more subdued and does not appeal as much to the youthful market. He also stated that the Beaver Valley lacked identity and image to the tourist and could be complemented by more resorts. He apparently has examined some conceptual plans of the owner and feels that such a development would be compatible with the goals of the Ministry.

Peter McInnis, planner, gave evidence for Cambray supporting the modification sought. One of the main points developed in his evidence was the matter of visual impact to the rest of the Beaver Valley and it was his opinion that development on the subject site could not be seen even in the wintertime. He indicated that attempts to get approval from the Niagara Escarpment Commission were unsuccessful and it was decided that further steps would not be taken until final approval of the Proposed Plan. A subsequent request by the Township of Euphrasia to amend the Official Plan was deferred by the Minister to await the outcome of these hearings.

Cameron M. Kitchen was also called by the owner to give evidence. Mr. Kitchen is the President of Ecoplans Ltd. and has an extensive background in environmental engineering. In carrying out his study he contacted several agencies such as the Ministry of Natural Resources, Conservation Authority, Ministry of Agriculture and Food, etc. seeking data on the subject site. He spent some 16 man days on the site and used other experts such as foresters, botanists and fisheries people. It was the conclusion of these studies that indicated the site would not be a viable farm. He went into a great deal of information in describing the site and what it contained in the way of plant life, streams, bird life, etc. The fish life was confined to the main stream only because all of the other streams are intermittent. In addition to the above Mr. Kitchen did some work on the visual impact of the site and came to the conclusion that although the site may be visible from the opposite side of the Beaver Valley the distance is so great it is difficult to pick out the existing barn. In his opinion the environmental impact of development on the site will be minimal and can easily be controlled.

EXHIBITS:

319. Curriculum Vitae - Peter G. McInnis
320. Curriculum Vitae - Cameron M. Kitchen
321. Air photo of Cambray Investments Ltd. property in the Beaver Valley. Also attached overlay for above property: Plan No. 3, Development Envelopes. Scale: 1:2000. Jack Klein and Henry Sears, Architects.
322. Plan No. 3 - site plan: Proposed Development, Cambray Investments Ltd. property, Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Klein and Sears.
323. Two Items:
    (a) Artist's conception of proposed inn on Cambray Investments Ltd. property in the Beaver Valley. "Front of Inn looking North-East." Epping Commons.
    (b) Artist's conception of proposed housing cluster on Cambray Investments Ltd. property in the Beaver Valley. "Housing cluster looking South-East." Epping Commons.
324. Two Items:
    (a) Winter photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached.
    (b) Summer photographs of Cambray Investments Ltd. property in the Beaver Valley. Location map attached.
325. Site Sections. Cambray Investments Ltd. property in the Beaver Valley. Epping Commons: Scale 1:2000. Klein and Sears, Architects.

326. First site plan developed by Cambray Investments Ltd. for property in the Beaver Valley approximately 1978. A premininary plan. Klein and Sears, Architects.

327. Second proposed plan of Cambray Investments Ltd. as submitted to the Township of Euphrasia in June, 1979. Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Plan No. 3, Site Plan - Proposed Development. Klein and Sears.

328. Certified true copy of the Minutes of the Beaver Valley Planning Board meeting, September 11, 1979.

329. Certified true copy of the Minutes of a Beaver Valley Planning Board public meeting held on June 19, 1980.

330. Minutes of the Beaver Valley Planning Board meeting, June 24, 1980.

331. Certified true copy of the Minutes of the Council meeting of the Township of Euphrasia, July 4, 1980.

332. Amendment No. 33 to the Official Plan of the Beaver Valley Planning Area, prepared by: The Grey County Planning Department for the Beaver Valley Planning Board, May 1980.

333. Soil map of Cambray Investments Ltd. property, Plan of Survey of Part Lots 12, 13 and 14, Concession 5, Township of Euphrasia, County of Grey. Soils alphanumeric code attached. Scale: 1:2000.

334. Topographic map, 1976, Department of Energy, Mines and Resources. Area: Markdale, Grey County, Ontario. Scale: 1:50,000. Cambray Investments Ltd. property in Beaver Valley marked on map.

335. Two Items:

    (a) Tourism Development Strategy, Collingwood - Midland - Orillia Zone, Volume 1, prepared for: Ontario

Ministry of Industry and Tourism. Prepared by: Marshall Macklin Monaghan Limited, Thorne Stevenson and Kellogg. May 1980.

(b) Tourism Development Strategy, Collingwood - Midland - Orillia Zone, Volume 2, Technical Appendix. Prepared for: Ontario Ministry of Industry and Tourism. Prepared by: Marshall Macklin Monaghan Limited, Thorne Stevenson and Kellogg. May 1980.

336. Four Items:

(a) Beaver Valley - Viewshed Analysis with Legend: Major Forest Areas, Major Development Areas and Proposed Plan Boundary. Scale: 1:25,000.

(b) An overlay for (a) above: Grey County Road 7 with Legend.

(c) An overlay for (a) above: Grey County Road 13 with Legend.

(d) An overlay for (a) above: Panoramic View with Legend.

337. Panoramic Views of Beaver Valley from four viewpoints as marked on Exhibit 336.

338. Topographical map of Beaver Valley, Scale: 1:25,000 and showing Proposed Plan Boundary and Epping Commons Site. Also attached is a visibility composite overlay.

339. Curriculum Vitae - Fidenzio Salvatori

340. Terms of Reference: Beaver Valley Visual Resources Management Study, August 31, 1981 re: Fidenzio Salvatori, consultant.

341. A report on the Visual Analysis of the Beaver Valley Escarpment Area. Prepared by: Professor Fidenzio Salvatori, Department of Landscape Architecture, University of Toronto. October 13, 1981.

342. Curriculum Vitae - Keith W. Lathem.

343. Coalition on the Niagara Escarpment. Hydrologic/ Hydrogeologic Appraisal, Epping Commons Development. The Lathem Group Inc., Consulting Engineers. October 9, 1981.

344. Topographical map indicating the watershed of the Beaver Valley.

345. Schematic of Local Hydrologic Cycle: Beaver Valley Area.

346. Topographical map: lands owned by Cambray Investments Ltd. from a drawing by Klein and Sears, dated March 1979, indicating wooded areas, drainage channels and wetlands. The Lathem Group Inc., 8108, October 1981.

347. Air photo showing Beaver River and swamp in the vicinity of the subject property: Cambray Investments Ltd.

348. Map of Beaver Valley and surrounding area showing property of some Beaver Valley Heritage Society members in proximity to Cambray Investments Ltd. property.

349. Sketch showing certain properties in the proximity of Cambray Investments Ltd. property. Also attached, portions of a topographical map and a Niagara Escarpment Commission Proposed Plan map showing the Beaver Valley Area.

350. Petition of 331 signatures in support of the development of Epping Commons, as submitted by Madelene Cummins, Concerned Citizens of the Beaver Valley.

351. Letter dated October 19, 1981 in support of Epping Commons development and signed by the three trustees of the Village of Kimberly.

352. Letter dated October 14, 1981 in support of Epping Commons development signed by Carol Burgess, President,

Meaford and District Chamber of Commerce.

353. Letter dated October 15, 1981 in support of Epping Commons development signed by Paul Dawson, President, Flesherton and District Chamber of Commerce.

354. Letter dated October 15, 1981 in support of Epping Commons development signed by Gwennyth Poulton, Secretary, Markdale Chamber of Commerce.

355. Letter in support of Epping Commons development (not dated), signed by E.M. Juffs, Past President, Flesherton District Chamber of Commerce.

356. Letter in support of Epping Commons development (not dated), signed by Peter Scopin, Manager, Fort Gary Motel and members of the Flesherton and District Chamber of Commerce.

357. Letter dated October 19, 1981 in support of Epping Commons development signed by Ronald A. Cross.

358. Curriculum Vitae - Ian D. Wilson

RECOMMENDATION:

That the Plan be modified to change the designation on the portion of the subject property proposed to be designated Escarpment Protection to Escarpment Recreation.

REASONS:

Although there was extensive evidence adduced in opposition to this submission we are of the opinion that this recommendation will not detract from the objectives of the *Niagara Escarpment Planning and Development Act* or the Proposed Plan. A large area of this property is included in our recommendation on Submission 405 (County of Grey) to be changed to Escarpment Recreation.

FILE NO. 700-112

SUBMISSION NO. 468

OWNER: Albert King

LAND: North Part Lots 23 and 24, Concession 7
Township of Sydenham

SUMMARY OF SUBMISSION:

The subject property comprises some 97 acres of land which the owner requests be removed from the Plan.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this land is properly designated and should remain in the Proposed Plan.

FILE NO. 700-86 SUBMISSION NO. 469

AGENT: Hans Hausler

GROUP: Ontario Trail Riders Association

SUMMARY OF SUBMISSION:

Mr. Hausler feels that horse trails should be shown on the Proposed Plan and that there should be a horseman as a member of the Commission. He also suggested that snowmobile trails could be used in the summer as horse trails.

RECOMMENDATION:

None.

REASONS:

In our opinion there is no jurisdiction to deal with the matters raised.

FILE NO. 700-108

SUBMISSION NO. 470

OWNER: Donald MacQueen

LAND: Lot 24, Concession 6
Township of Sydenham

SUMMARY OF SUBMISSION:

This property of 200 acres is proposed to be designated Escarpment Rural and Escarpment Natural in the Proposed Plan. The owner simply requests removal of his property from the Plan.

EXHIBIT:

359. Air photo showing property of Donald MacQueen, Lot 24, Concession 6, Township of Sydenham, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, this property is properly designated and should remain in the Proposed Plan.

FILE NO. 700-64 SUBMISSION NO. 471

AGENT: George Weider, Chairman
Blue Mountain Resorts Limited and
President of
Craigleith Development Limited

OWNER: Blue Mountain Resorts Limited and
Craigleith Development Limited

SUMMARY OF SUBMISSION:

The submission deals with the position of the above named companies with regard to certain aspects of the Proposed Plan. Concern is expressed regarding the application of additional criteria, not in the Proposed Plan and referred to in Section 2.9 and recommends the reference to additional criteria be stricken from the Proposed Plan.

While recognizing that this ski resort comes under the jurisdiction of the Craigleith-Camperdown Official Plan, since it is the largest in Ontario, it should also be included in the list of ski resorts listed in the Proposed Plan by adding it to the list in Section 2.7.

Refinement is sought for the permitted uses contained in Section 2.7 to allow for the continuing changes and new development within the resort industry and the following definition is provided:

(a) those facilities required for the daily maintenance and operation of the resort;

(b) resort housing including single family, chalet, studio apartments, timeshare;

(c) commercial development such as lodges, retail and service establishments and tourism/recreation services designed to stimulate four season utilization of the existing centre.

Objection is taken to the large area of notice provided for in Section 4.1.9 and it is recommended to be deleted and the following substituted:

(a) affected municipalities;

(b) those who request so in writing and that they be allowed to appeal.

The brief also deals with the implementation of the Proposed Plan and expresses the opinion that it does not properly address this issue and further it has not fulfilled its objective under Section 8 (c) of the *Niagara Escarpment Planning and Development Act* to provide adequate opportunities for outdoor recreation. The submission suggests that for the "village core" of this owner the implementing tool be zoning with development control as the amending mechanism. The latter part of this submission gets into an area of recommendations to the Minister leading up to certain actions being taken in consequence none of which we believe we have the jurisdiction to deal with as they do not fall within our scope of reference.

RECOMMENDATION:

None.

REASONS:

This submission was generally in support of the Proposed Plan and also covered some alleged deficiencies in the Plan. We have attempted to answer these problems in our recommendations, comments and reasons in the general section of this report.

FILE NO. 700-106 SUBMISSION NO. 472

AGENT: Robert Mackey, Chairman
St. Vincent Planning Board

GROUP: Township of St. Vincent

SUMMARY OF SUBMISSION:

The submission presented by the Chairman of the St. Vincent Planning Board requests the deletion from the Proposed Plan of the Hamlet of Griersville and an area to the north of it. It is stated that the Minor Urban Centre designation and surrounding Escarpment Protection Area designation is not appropriate as it does not recognize existing development nor provide sufficient direction for future growth of the Hamlet. Also in the Township of St. Vincent's review and update of the Official Plan the Hamlet has been identified as a growth node and a growth rate has been established for it. The County of Grey in 1978 submitted to the Niagara Escarpment Commission a response to the Preliminary Proposals endorsed by St. Vincent recommending deletion of the Hamlet. This document by its mapping located the boundary of the Plan in this area to be south of Griersville on a line between the north and south half of Lot 2, Concessions 4 and 5. Such boundaries would still recognize the scarp entity while permitting the Hamlet to grow under local control.

RECOMMENDATION:

The Proposed Plan be modified to delete the lands as requested by the Township of St. Vincent.

REASONS:

We are of the opinion, based on the evidence adduced, that the objectives of the Proposed Plan and the *Niagara Escarpment Planning and Development Act* will not be adversely affected.

FILE NO. 700-104

SUBMISSION NO. 473

OWNER: Charlie Kramer

LAND: Part Lot 16, Concession 4
Part Lot 14, Concession 2
Township of Derby

SUMMARY OF SUBMISSION:

This submission dealt with a total of 184 acres designated Escarpment Protection and Escarpment Rural. The subject lands are in close proximity to sewer and water services. There is certain development of a residential nature already erected on this part of these lands and the owner would like more. He states frustration caused by the Niagara Escarpment Commission is his reason for wanting out of the Proposed Plan. It is clear by his own submission that he has problems with public agencies other than the Niagara Escarpment Commission.

EXHIBIT:

360. Air photo showing property of Charles Kramer, Part Lot 16, Concession 4; and Part Lot 14, Concession 2, Township of Derby, County of Grey.

RECOMMENDATION:

None.

REASONS:

A small portion of the property in Lot 14 has been recommended for change to Urban Centre in Submission 407 (Township of Derby) and the balance of the property in our opinion, based on the evidence, is properly designated and should remain in the Proposed Plan.

FILE NO. S 700-91 SUBMISSION NO. 684

AGENT: Martin Parker

GROUP: Saugeen Field Naturalists

SUMMARY OF SUBMISSION:

This organization presented a brief on the Proposed Plan and supports its aims and objectives and that the position that the area of the Proposed Plan not be reduced. It was pointed out that the County of Grey unlike other counties and regions in Ontario still retains its natural heritage and this is the reason why people from the south select this region for vacation homes and holidays.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-98 SUBMISSION NO. 692

OWNER: Hubert B. Cheshire

LAND: Part Lot 26, Colpoys Range
Township of Keppel

SUMMARY OF SUBMISSION:

This gentleman owns approximately 106 acres which is divided into two lots by a road. The Proposed Plan designates the smaller lot as Escarpment Natural and the larger lot as both Escarpment Natural and Escarpment Protection. He feels that the controls placed on his lands have prevented him from developing them and would like to be removed from the Proposed Plan. He pointed out also that there are cottages near him which are located close to the water.

EXHIBIT:

528. Air photo showing property of Hubert Cheshire, Part Lot 26, Colpoys Range, Township of Keppel, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.

FILE NO. S 700-83

SUBMISSION NO. 693
(Written Only)

OWNER: Mrs. Melva Peterson

SUMMARY OF SUBMISSION:

This was a written submission read into the record from Mrs. Peterson who now resides in British Columbia. The letter was very negative regarding the Niagara Escarpment Commission.

RECOMMENDATION:

None.

REASONS:

Submission is much too negative to comment upon and to make any recommendation on it.

FILE NO. S 700-88

SUBMISSION NO. 694
(Written Only)

OWNER: Donald D. Halls

LAND: Part Lot 8, Plan 16R428
Lot 24, Colpoys Range
Township of Keppel

SUMMARY OF SUBMISSION:

In a written submission Mr. Halls requested that his property be removed from the Proposed Plan. This holding appears to consist of less than one acre and is improved with a dwelling.

EXHIBIT:

529. Air photo showing property of Donald Douglas Halls, Township of Keppel, County of Grey.

RECOMMENDATION:

In our opinion, based on the evidence, this property is properly designated and should remain in the Proposed Plan.

FILE NO. S 700-125 SUBMISSION NO. 695

OWNER:	Mervyn G. and Philip E. Bye
LAND:	South 1/2 Lot 26, Concession 2 Township of Sydenham

SUMMARY OF SUBMISSION:

The subject lands are not in the Proposed Plan. This submission dealt primarily with objections to a development permit issued by the Niagara Escarpment Commission on a neighbouring property.

RECOMMENDATION:

None.

REASONS:

No jurisdiction.

FILE NO. S 700-114 SUBMISSION NO. 730

OWNER: Garth Baron

LAND: Lot 21, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission was made by the wife of the above named in support of the retention of the Escarpment Protection designation on the above property which is owned by a non-profit, registered, charitable organization known as Caledon Contemporaries. It is a 100 acre farm in the Beaver Valley and its use is emphasized as an outdoor education centre for groups and individuals. The Caledon Contemporaries can support expansion of the Kimberly, Eugenia and "blue" areas but think that development on the east or west slope north of the existing "blue" at Talisman is unacceptable.

Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-115 SUBMISSION NO. 731

OWNER: Dr. W.G. Bassett

LAND: Lot 12, Concession 3
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 97.2 acres of land in the Beaver Valley designated Escarpment Protection and Escarpment Natural under the Proposed Plan. The owner is concerned about the proposals being made by landowners for varying degrees of urbanization and strip development and points out the undesirability of this and the conflict it presents with the Proposed Plan. While in full accord with the idea the valley become a recreational area and tourist attraction he does not believe this is attainable with high density urbanization. Such amendment or modifications sought could threaten the equity in valley properties.

The wife of the above owner also spoke on the visual impact on the valley of certain proposed development. Light, vision, optics and illumination are the disciplines she instructs on at the University of Toronto. She fears that if development in the valley is handled as outlined in the Beaver Valley Secondary Plan it will destroy the quality that has attracted residents to this area.

This submission can be taken to be in full support of the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-16

SUBMISSION NO. 732

OWNER: James Beldon

LAND: Lot 6, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 50 acre farm in the Beaver Valley located in the vicinity of Kimberly and immediately south of the Talisman Resort. While not opposed to development the owner believes that there are ample development sites in the valley now without creating more. He purchased his property next to the Talisman resort in 1977 relying on the Escarpment Protection designation given it at that stage in the Proposed Plan. Full support is given to the Plan.

RECOMMENDATION:

None.

REASONS:

Although this submission is in full support of the Proposed Plan at least a portion of the subject lands have been recommended for change to Escarpment Recreation in Submission 405 (County of Grey).

FILE NO. S 700-119 SUBMISSION NO. 733

OWNER: Hans Kleefeld

LAND: Lot 15, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission is by the owner of a former schoolhouse property situated on one acre of land in direct proximity to Epping Terrace and designated Escarpment Protection. The above building is used seasonally and it is anticipated that the owner will eventually use it as a full-time residence. He has no objection to development so long as it is limited to that proposed by the Niagara Escarpment Commission's Proposed Plan. Concern is expressed about other development being proposed before the hearing officers. Full support is accorded the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-120

SUBMISSION NO. 734

OWNER: Herman McConnell

LAND: North 1/2 Lot 14, Concession 5
Lot 15, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns 250 acres of land in the Beaver Valley designated in the Proposed Plan as Escarpment Protection. The lands are rented for cash crops and the owner resides on the property. He is satisfied with the designation placed on his land. Opposition is registered to any further development in the valley particularly at Epping where he believes the traffic volume is too high now. Further development would be harmful to the fishing program the Ministry of Natural Resources has started in the Beaver River. He claims over one million dollars was spent by the Provincial Ministry on a fish dam. Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

Although this submission is in support of the Proposed Plan at least a portion of the land in Concession 5 has been recommended for change to Escarpment Recreation in Submission 405 (County of Grey).

FILE NO. S 700-121 SUBMISSION NO. 735

AGENT: Robert Leverty

OWNER: Mrs. Dorothy Teakles

LAND: Part Lot 17, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 50 acre property in the Beaver Valley purchased in 1980 and designated Escarpment Protection in the Proposed Plan. There is a farmhouse, barn and pond located on the property. Some of the acreage is rented out. She supports the Niagara Escarpment Commission's Proposed Plan particularly as it affects the Beaver Valley.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-122 SUBMISSION NO. 736

OWNER: Robert Wiele

LAND: Lot 10, Concession 8
Township of Collingwood

SUMMARY OF SUBMISSION:

This submission concerns a property of 50 acres of land designated in the Proposed Plan as Escarpment Protection. It was purchased in 1980 and is a farm with a house thereon. The owner likes the protection the Proposed Plan offers and requests that he stay in the given designation. This submission fully supports the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-123 SUBMISSION NO. 737

OWNER: Gerald Weinberg

LAND: Lot 19, Concession 6
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 200 acre farm which is not included in the Proposed Plan. The submission expresses concern at any development being permitted in the Beaver Valley other than an expansion of existing areas such as Kimberley or Eugenia. Opposition is registered to any contemplated development such as is contemplated by the Beaver Valley Planning Board and reference is made to Talisman North and Epping Terrace. These are classed as strip development and spot rezoning. Full support is given to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-124

SUBMISSION NO. 738

OWNER: Sharon and Timothy Thompson

LAND: South 1/2 Lot 11, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This submission concerns a 100 acre farm located in the Beaver Valley purchased in 1977 and designated Escarpment Protection. The Epping Commons property touches the lands next to the subject property. Mrs. Thompson who made the submission informed the hearing officers that the Talisman North proposal for development includes their lands.

Opposition is registered to any change being made in the Escarpment Protection designation on the Thompson land. The scarp face is located at the back of this property and the Escarpment Natural designation has been applied to it.

Full support for the Proposed Plan is voiced in this submission.

RECOMMENDATION:

None.

REASONS:

Although this submission is in support of the Proposed Plan a portion of the subject land has been recommended to be changed to Escarpment Recreation in Submission 405 (County of Grey).

FILE NO. 700-95 SUBMISSION NO. 739

OWNER: Robert Leverty and Michael Leverty

LAND: Part Lots 16 and 17, Concession 5
Township of Euphrasia

SUMMARY OF SUBMISSION:

This is a 150 acre parcel of land in the Beaver Valley jointly owned by the above named. Robert Leverty presented the submission. The lands are designated Escarpment Protection in the Proposed Plan and the brothers are in accord with this designation. Mr. Leverty traced the historic background of this farm which dates back to 1854. It still remains a working farm. Contained within the 150 acres are two 12.5 acre parcels of hardwood maple bush and the owner would not object if these acreages were designated Escarpment Natural. In great detail the terrain of the land was outlined by Mr. Leverty. He has experienced no trouble with hikers and states this area is one of the most spectacular sections of the Bruce Trail. This owner believes the Niagara Escarpment Commission's Proposed Plan is fair to all. He is in support of the expansion of Kimberley with proper services. Development of the western slope that would break the natural corridor is unacceptable and the proposed changes requested for Epping Terrace or Talisman North are not supported by him.

His position is in support of the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-113 SUBMISSION NO. 740

AGENT: Robert Wiele, President

GROUP: Beaver Valley Heritage Society

SUMMARY OF SUBMISSION:

The Beaver Valley Heritage Society was formed in 1981 and its main concern is to protect the Beaver Valley's unique and natural environment. The landowners of this society support the Proposed Plan and the protection they receive from it and wouldn't want their rights taken away. The Society feels that major changes to the Plan in the Beaver Valley will jeopardize the following:

1. The natural beauty of the valley.
2. The lifestyle choices some have made in moving here.
3. The lifestyle choices other long time residents have seen protected when the Niagara Escarpment Commission was established.
4. The equity that many members have built-up by owning land in a protected area.

They take the position that changes proposed to the north of Talisman will destroy the resources of the valley. It is also felt that if any of the Proposed Plan is changed it would devalue their property. It was pointed out also that there is no evidence of need and therefore no justification for extra recreation areas such as Talisman North or Epping Terrace. The Society does support sensible development in the Minor Urban Centres as well as Talisman and the Beaver Valley Ski Club.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 700-126 SUBMISSION NO. 741

OWNER: Lloyd Thomson

LAND: East 1/4 Lot 4, Concession 4
Township of Euphrasia

SUMMARY OF SUBMISSION:

Mr. Thomson through his company, Lloyd Thomson and Associates Limited, owns 50 acres of land. The Proposed Plan designates 38 acres of the property as Escarpment Natural and 12 acres as an Escarpment Rural Area. The 38 acre parcel is shown as a proposed acquisition area in the Proposed Plan. He stated that he has no quarrel with the proposed designations but feels that some of the boundary lines shown may be inaccurate. Mr. Thomson feels that the designations on his property have acted as a freeze and as a result the value of the property has been reduced and the land is unsaleable. He urges that the Government of Ontario buy his lands now and without delay.

RECOMMENDATION:

None.

REASONS:

We were advised at the hearing that the Niagara Escarpment Commission has endorsed the purchase of this property by letters to the Ministry of Natural Resources and the Conservation Authority.

FILE NO. S 700-5 SUBMISSION NO. 742

AGENT: Robert Leverty

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

Mr. Leverty indicated that the Board of the Coalition on the Niagara Escarpment had passed a resolution thanking the hearing officers. He also reaffirmed the position of the Coalition on the Niagara Escarpment with respect to the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

None necessary.

FILE NO. S 700-4

SUBMISSION NO. 743

AGENT: Kim Mooney

OWNER: Dr. Raymond O. Heimbecker

LAND: South 1/2 Lot 7, Concession 2
Part North 1/2 Lot 7, Concession 3
Township of Collingwood

SUMMARY OF SUBMISSION:

Mr. Mooney pointed out that this property had been divided into four separate 50 acre parcels and were all in separate title. He indicated that the Proposed Plan designates both Escarpment Protection and Escarpment Rural on these lands. The evidence given by Mooney shows that this is flat farmland which is surrounded by publicly owned lands and lands which are designated Escarpment Recreation. The subject site, in this witness' opinion, is located at least 1/2 to one mile from the Escarpment and to him does not appear to be environmentally sensitive. He wishes to have all of this land removed from the Proposed Plan.

EXHIBIT:

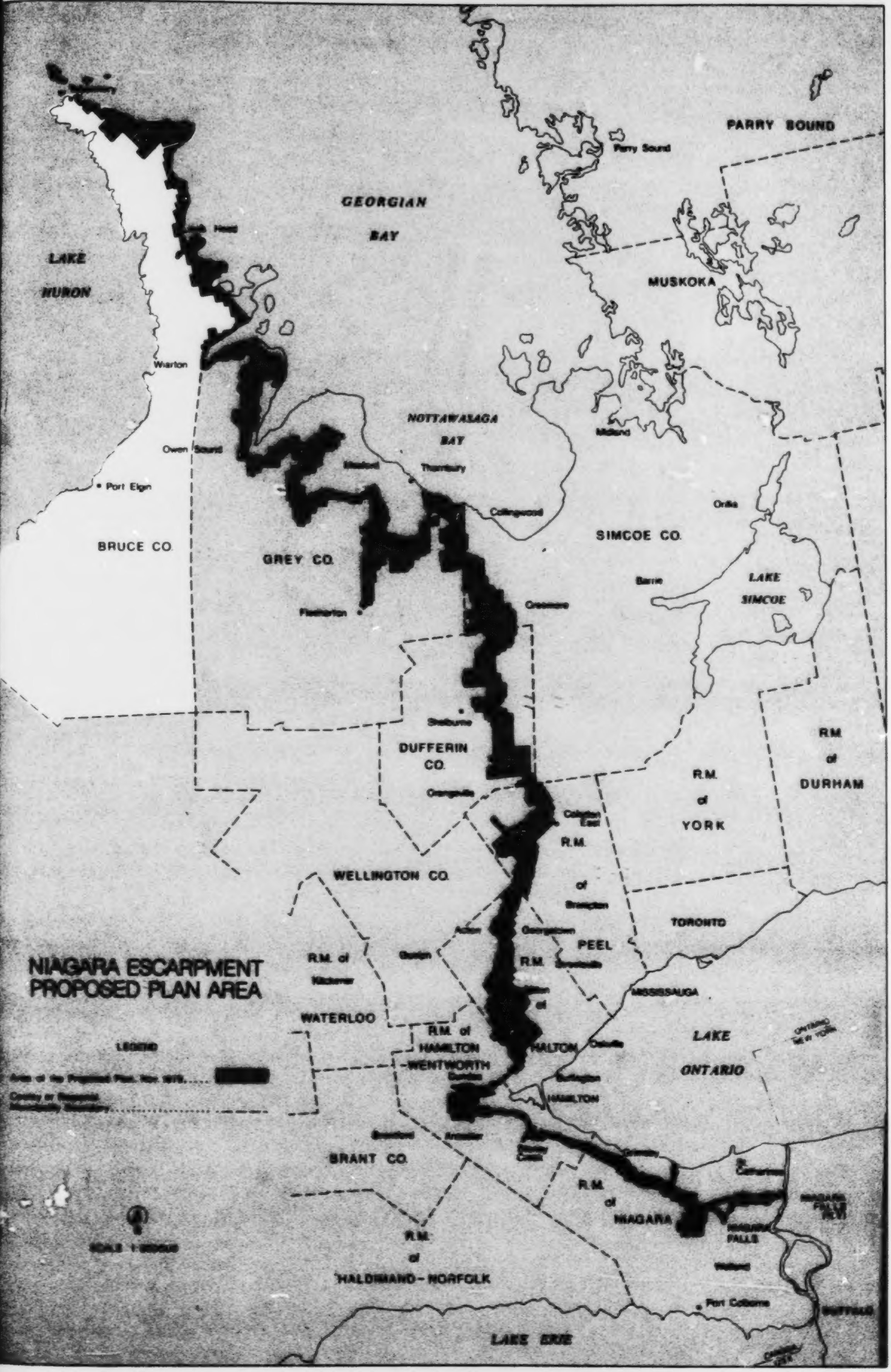
562. Air photo showing properties of Dr. Raymond O. Heimbecker, South 1/2 Lot 7, Concession 2; and Part North 1/2 Lot·7, Concession 3, Township of Collingwood, County of Grey.

RECOMMENDATION:

None.

REASONS:

In our opinion, based on the evidence, these lands are properly designated and should remain in the Proposed Plan.



NIAGARA ESCARPMENT PROPOSED PLAN AREA

LEGEND
Area of the Proposed Plan, Nov. 1979
County or Regional Municipality Boundary
SCALE
GEORGIAN BAY
LAKE HURON
PARRY SOUND
Parry Sound
MUSKOKA
Wiarton
Owen Sound
Port Elgin
BRUCE CO.
GREY CO.
NOTTAWASAGA BAY
Meaford
Thornbury
Collingwood
Midland
Orillia
SIMCOE CO.
Barrie
LAKE SIMCOE
Flesherton
Creemore
Shelburne
DUFFERIN CO.
Orangeville
Caledon East
R.M. of DURHAM
R.M. of YORK
R.M. of Brampton
WELLINGTON CO.
Acton
Georgetown
PEEL
TORONTO
Guelph
R.M. of Kitchener
WATERLOO
R.M. of HALTON
MISSISSAUGA
LAKE ONTARIO
ONTARIO NEW YORK
R.M. of HAMILTON-WENTWORTH
Dundas
Oakville
Burlington
HAMILTON
Brantford
Ancaster
BRANT CO.
St. Catharines
R.M. of NIAGARA
NIAGARA FALLS (N.Y.)
NIAGARA FALLS
Welland
R.M. of HALDIMAND-NORFOLK
Port Colborne
BUFFALO
LAKE ERIE
CANADA USA

PHASE II HEARING

THE

COUNTY OF BRUCE

Ontario

Niagara Escarpment Proposed Plan Hearing

A. L. McCrae, Chief Hearing Officer
W. T. Shrives, Hearing Officer
M. D. Henderson, Hearing Officer

Walter W. Gowing
Administrator

INDEX

LIST OF SUBMISSIONS

PHASE II

COUNTY OF BRUCE

Name	File Number	Submission Number	Page Number
Albemarle, Township of	800-47	374	1361
Baldus, Bernd	S 800-60	691	1407
Barfoot, Clifford	800-42	386	1373
Bridge, Ivor C.	800-7	375	1362
Bruce, County of	800-46	373	1357
Bruce Peninsula Protection Association	800-25	393	1381
Bruce Trail Association	800-2	388	1376
Campbell, Malcolm M.	800-50	399	1388
Ceaser, Mr. and Mrs. Ronald	800-15	395	1383
Clark, John	800-10	381	1368
Coalition on the Niagara Escarpment	S 800-6	679	1396

Name	File **Number**	Submission **Number**	Page **Number**
Elliott, H. Vincent	S 800-1	678	1395
Federation of Ontario Naturalists	S 800-24	680	1397
Forbes, Harold M.	S 800-18	681	1398
Fox, Richard	800-27	403	1393
Gattis, Ron	800-41	383	1370
Grant, Mr. and Mrs. Donald J.	800-33	377	1364
Hepburn, William	800-37	384	1371
Hill, Mr. and Mrs. Gordon T.	800-29	392	1380
Jenkins, Innis	800-4	376	1363
Johnson, Joseph W.	S 800-58	686	1402
Kindrick, Bryce	S 800-12	688	1404
Kropschot, Mrs. Robert	800-56	401	1391
Lemcke, Ivan	800-31	380	1367
Lerner, Mrs. Frances	800-48	389	1377
Libby, A.H.	800-44	387	1375
Loucks, Dr. Charles H.	800-52	390	1378
Mackie, Verdon	800-13	378	1365
Mayhew, Leonard	800-57	402	1392
Murphy, Harold	800-23	400	1389
McKague, Clayton	S 800-14	689	1405
McNichol, Phil	800-8	379	1366
Niagara Escarpment Northern Ratepayers Association	800-30	404	1394
Ralph, Angus	800-16	382	1369
Richardson, Frank and Ismay	800-11	396	1384

Name	File Number	Submission Number	Page Number
Richardson, Gordon and Rhonda	800-17	394	1382
Rogers, James and Shirley	800-19	397	1385
Rutherford, Jerry	S 800-32	690	1406
Saugeen Field Naturalists	S 800-49	683	1400
Schwass, Rodger and Mary	S 800-59	687	1403
Searle, A.A.	800-53	391	1379
Shouldice, Garfield	S 800-55	685	1401
Thompson, Mr. and Mrs. John	800-54	398	1387
Ward, Lawrence W.	800-21	385	1372
Watson, Mrs. W.I.	S 800-22	682	1399

PHASE II

GENERAL STATEMENT

COUNTY OF BRUCE

The *Niagara Escarpment Planning and Development Act* in Section 10 (6) requires that "separate reports shall be submitted for each part of the Niagara Escarpment Planning Area for which a hearing or hearings was held".

In accordance with this requirement the report for the part of the Niagara Escarpment Planning Area within the County of Bruce for which a hearing was held at Wiarton together with a portion of the supplementary hearing held in Wiarton consists of the summaries of each of the individual submissions.

The submissions for this section are numbered 373 to 404 inclusive, 678 to 683 inclusive and 685 to 691 inclusive.

The report for this part of the Planning Area must be read in conjunction with the general section of this report.

Recommendations are contained in the following submissions for this section: 373 and 375.

In the County of Bruce we have recommended in Submission 373 that certain areas be removed from the Plan and certain designations be changed from those proposed.

Several submissions in this sector (Bruce) are dependent on the recommendations that were made in Submission 373 being accepted otherwise our recommendations on several submissions might have been to remove certain properties or to change designations.

Submissions in this category include the following: 381, 383, 384, 385, 386, 397, 400, 401, 402, 681, 682, 687 and 690.

PHASE II

COUNTY OF BRUCE

SUMMARY
OF
SUBMISSIONS, RECOMMENDATIONS AND REASONS

FILE NO. 800-46 **SUBMISSION NO. 373**

AGENT: Donald B. Scott, Planning Director

GROUP: County of Bruce

SUMMARY OF SUBMISSION:

This submission was made by the Planning Director for the County of Bruce, on behalf of the County. The director stated the general support of the County for the goals and objectives set down by the Niagara Escarpment Commission in the Proposed Plan. In order to have the Plan meet favorable acceptance by the County certain changes and alterations are suggested based on expressions made by its member municipalities.

The County would support an Escarpment Natural Area designation which includes the physical Escarpment and an area approximately 300 metres back from the brow of the Escarpment slope. This 300 metre area would vary with vegetation cover and existing land use. The Escarpment Protection Area for buffer purposes should generally be of a similar dimension to the Escarpment Natural Area zone. It is the County's belief that the above two designations are in many cases too wide and the purpose of the *Niagara Escarpment Planning and Development Act* can be attained by adhering more closely to the physical features of the Escarpment landform than those proposed on the Niagara Escarpment Commission's maps of the Proposed Plan. The Plan designations of Escarpment Natural and Escarpment Protection should not reflect acquisition policy as they do in St. Edmunds and Lindsay Townships as these restrictive designations can be interpreted as a ploy to hold down land values.

The map attached to the brief reflects more realistic and acceptable limits to Escarpment Natural and Escarpment Protection designations. This map shows an expanded Escarpment Rural Area replacing Escarpment Natural and Escarpment Protection Areas remote from the Escarpment landform. The brief calls for a lineal enlargement of the Escarpment Recreation Area designation along the

Georgian Bay shoreline. Areas for such expansion are illustrated on the map attached to the brief and are located in St. Edmunds, Lindsay, Eastnor and Albemarle Townships.

It is requested that the following five areas be deleted from the Proposed Plan:

Area 1 -

This area is in the Township of St. Edmunds and is presently controlled through a Provincially approved amendment to the Bruce Peninsula Official Plan, which is referred to as the "Tobermory South Secondary Plan". The Tobermory South Secondary Plan identifies the natural features in this area (e.g. a major sink hole) as an "Environmental Protection Area".

It is the opinion of the County that the local Secondary Plan provides sufficient safeguards for the preservation of the natural landscape features in this area.

Area 2 -

The lands in question are presently subdivided into 10 acre parcels which reflect the maximum amount of development that could occur. Because of the existence of this "checkerboard" subdivision there is question as to the need to include this in the Proposed Plan as the development can be adequately handled through local zoning regulations.

Area 3 -

This area is remote from the Escarpment and does not relate to the Escarpment. The swamp area within Area 3 can be protected by local zoning provisions.

Area 4 -

The lands west of Bruce County Road No. 9 have for the most part been subdivided into 25 acre parcels. The lands further west of the County Road are effectively land locked and will remain in their natural state. Bruce County Road No. 9 appears to be a logical western boundary for the revised planning area in this section of the Peninsula.

Area 5 -

The Colpoys Creek and Colpoys Village Area should be deleted from the Plan for the following reasons:

(a) The mouth of the creek is protected by the Ministry of Natural Resources fish sanctuary and by means of an Environmental Protection designation in the Colpoys Secondary Plan.

(b) The Ministry of Housing has recently approved a Secondary Plan for most of the southern part of this area and this Plan adequately protects the creek areas, the Escarpment and the shoreline by means of a Natural Environment designation that prohibits further development and encourages proper conservation programs.

(c) As the Escarpment Plan does not cover the entire creek, the County is of the opinion that the creek should be deleted from the Plan and controlled through County land use policy. County policy would effectively limit further development along the creek and any development that could occur would be subject to substantial setbacks from the stream.

EXHIBITS:

252. Two Maps:

(a) Niagara Escarpment Commission Proposed Plan Map 8, County of Bruce: Township of Albemarle, Township of Amabel, Township of Eastnor, Village of Lion's Head and the Town of Wiarton. Additional markings placed on map by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes.

(b) Niagara Escarpment Commission Proposed Plan Map 9, County of Bruce: Township of Lindsay and Township of St. Edmunds. Additional markings placed on map by planning staff of the County of Bruce showing Bruce County's recommendations concerning areas for deletion from the Proposed Plan as well as recommended designation changes.

RECOMMENDATION:

That the Proposed Plan be modified by deleting the areas recommended for deletion as shown on Exhibit 252 (a) and (b) and further that the Plan be modified by the changes in designation as set out in the above Exhibits.

REASONS:

One difficulty that has plagued the hearing officers during the course of these proceedings was the inability of the Niagara Escarpment Commission to positively identify the location of the Escarpment in many of the other areas of the Plan. Indeed the Niagara Escarpment Commission's paper dealing with the County of Bruce entitled "The Niagara Escarpment and Land In Its Vicinity" states "in contrast to many areas further south, the Niagara Escarpment takes the form of a prominent rock cliff for most of its length in Bruce County". As a result of this we are of the opinion that our task is much easier in this area in being able to identify the Escarpment and lands in its vicinity as required by the *Niagara Escarpment Planning and Development Act*. This has enabled us to accept the evidence adduced by the planner for the County of Bruce in support of the above recommendation.

We are of the opinion that the acceptance of these recommendations will not prejudice the objectives of the Proposed Plan or the *Niagara Escarpment Planning and Development Act* in providing adequate and realistic buffers to the Escarpment. Good examples of proposed designation changes are the extensions of the Escarpment Recreation designations proposed for Colpoys Bay and Dunks Bay.

FILE NO. 800-47 SUBMISSION NO. 374

AGENT: Gordon W. Hotham, Clerk-Treasurer

GROUP: Township of Albemarle

SUMMARY OF SUBMISSION:

The submission lists certain areas that should be removed from the Proposed Plan and the planning area. It supports generally the brief of the County of Bruce. The thrust of this submission is that the Township of Albemarle has placed adequate restrictions on the development of land within its confines and requests that the regulation of lands be left in the capable hands of the municipality.

RECOMMENDATION:

None.

REASONS:

This submission has been substantially dealt with in the recommendation in Submission 373 (County of Bruce).

FILE NO. 800-7 SUBMISSION NO. 375

OWNER: Ivor C. Bridge

LAND: Lots 31 and 32
Part Lots 33 and 34
Concession 4 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission pointed out that the Proposed Plan indicates that a large portion of the subject lands are in public ownership which is not the case (Niagara Escarpment Commission staff agreed).

Mr. Bridge in any event prefers local control of planning.

RECOMMENDATION:

That the indication of public ownership be removed from the subject lands.

REASONS:

The Niagara Escarpment Commission staff are in agreement with the contention made by the owner. There are no further recommendations since the other matter raised has been dealt with elsewhere in the Proposed Plan.

FILE NO. 800-4 SUBMISSION NO. 376

OWNER: Innis Jenkins

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and sees the Bruce Trail as a most important part of it. Acquisition of lands for the Trail should be proceeded with as soon as they become available. It is vital to ensure that the Niagara Escarpment is preserved.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 800-33 SUBMISSION NO. 377

OWNER: Mr. and Mrs. Donald J. Grant

LAND: Lot 1 and Part Lot 2, Plan 401
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission arises due to the owners' concern about the legality of their use of their home on a permanent basis in the face of the local zoning by-law calling for seasonal use. It would appear their home was erected prior to passage of the by-law in question.

RECOMMENDATION:

None.

REASONS:

This submission did not really deal with the Proposed Plan.

FILE NO. 800-13 SUBMISSION NO. 378

OWNER: Verdon Mackie

LAND: Lot 8, Concession 9 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

The submission is in regard to some 97 acres designated Escarpment Rural. Opposition is raised to the inclusion of these lands in the Proposed Plan and the owner prefers to be under municipal controls. It is his belief an easier disposition could be made of the property if not encumbered by the provisions of the Niagara Escarpment Commission's Proposed Plan.

EXHIBIT:

253. Air photo showing property of Verdon Mackie, Lot 8, Concession 9 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

The subject property is not in an area recommended for change or deletion by the County. We are of the opinion it should be designated as proposed and remain in the Proposed Plan.

FILE NO. 800-8 SUBMISSION NO. 379

OWNER: Phil McNichol

LAND: R.R. 3
Lion's Head

SUMMARY OF SUBMISSION:

The applicant is a permanent resident of the Bruce Peninsula. He does not agree with many of the uses the Proposed Plan would permit in the Escarpment Rural Areas and singled out golf courses, country clubs and trailer parks. The brief does not oppose certain types of economic development that the community is dependent upon for a living, nor does the speaker believe such development is incompatible with conservation practices. Local autonomy on planning issues is most important as he believes the local people are more aware of, and better able to judge the sensitivity of the people of the Bruce.

RECOMMENDATION:

None.

REASONS:

These matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 800-31 SUBMISSION NO. 380

OWNER: Ivan Lemcke

LAND: Lot 13, Concession 12 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

The subject lands are designated Escarpment Recreation under the Proposed Plan. Mr. Lemcke has a plan of subdivision on these lands which has draft approval subject to certain conditions, one of which is that a zoning by-law be put in place on the lands. However this condition cannot be complied with since the subject lands are under development control which precludes zoning as a method of control.

RECOMMENDATION:

None.

REASONS:

We are of the opinion this is a local matter and can be resolved outside of this report.

FILE NO. 800-10 SUBMISSION NO. 381

OWNER: John Clark

LAND: Lot 14, Concession 11 E.B.R.
Eastnor Township

SUMMARY OF SUBMISSION:

The subject lands are part of a family farm totalling 550 acres and designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan. Mr. Clark wishes to be able to divide the shore front portion of these lands into cottage lots for members of his family. He requests removal from the Proposed Plan or at least some change in the Plan to allow severances.

These lands are in one of the areas where Bruce County in its submission (No. 373) requested the extension of the Escarpment Recreation designation.

EXHIBIT:

254. Air photo showing property of John Clark, Lot 14, Concession 11 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, as far as the subject lands are concerned, in Submission 373 (County of Bruce) is concurred with this request will be complied with.

FILE NO. 800-16 SUBMISSION NO. 382

OWNER: Angus Ralph

LAND: Russell Island
County of Bruce

SUMMARY OF SUBMISSION:

This is an island of some 200 acres located approximately one half mile off the coast of Tobermory. Mr. Ralph purchased this island in 1968 and wishes to have the island either expropriated or released from both the St. Edmunds Township Official Plan and the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

The subject property is not in an area recommended for change or deletion by the County. We are of the opinion it should be designated as proposed and remain within the Proposed Plan.

FILE NO. 800-41 SUBMISSION NO. 383

OWNER: Ronald Gattis

LAND: Part Lot 28, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

This man owns additional properties in the area but would like to have these approximately 77 acres which are proposed for an Escarpment Rural designation removed from the Proposed Plan. This gentleman has property (Part Lots 31, 32 and 33, Concession 8 W.B.R.) which is surrounded by Ministry of Natural Resources' lands which are currently being offered for sale.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is concurred with then the 77 acre property will be removed from the Plan.

FILE NO. 800-37 SUBMISSION NO. 384

COUNSEL: Peter Fallis

OWNER: William Hepburn

LAND: Lot 26 and 27, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

NOTE: This application was heard together with Submissions 385 (Lawrence W. Ward) and 386 (Clifford Barfoot).

See Submission 386.

FILE NO. 800-21 SUBMISSION NO. 385

COUNSEL: Peter Fallis

OWNER: Lawrence W. Ward

LAND: Lot 29 and Part Lot 28, Concession 8 E.B.R.
Township of Albemarle

SUMMARY OF SUBMISSION:

NOTE: This application was heard with Submissions 384 (William Hepburn) and 386 (Clifford Barfoot).

See Submission 386.

FILE NO. 800-42 SUBMISSION NO. 386

COUNSEL: Peter Fallis

OWNER: Clifford Barfoot

LAND: Lots 29 and 30, Concession 8
Township of Albemarle

SUMMARY OF SUBMISSION:

These three applications (384, 385 and 386) were heard together because the evidence was common to all three. All three of these properties are operating farms and for the most part are proposed for an Escarpment Rural designation in the Proposed Plan. The one thing that they have in common is the fact that the Colpoys Creek runs through the properties otherwise they appear to be similar to other rural lands in the area which are not in the Proposed Plan. This submission requested that the subject lands be removed from the Plan.

EXHIBITS:

255. Air photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot in a portion of the County of Bruce as submitted by Peter Fallis, legal counsel.

256. Ministry of Government Services, Instructions to Tenderers, re: Sale of Bush Land in Part Lot 31 and 32, Concession 8 E.B.R. in the Township of Albemarle, County of Bruce, containing 156.6 acres more or less.

257. Map of Albemarle Township, County of Bruce showing lands to be exempt from the Proposed Plan for the Niagara Escarpment as requested by legal counsel, Peter Fallis.

258. Air photo of properties owned by William Hepburn, Ronald Gatis, Lawrence Ward and Mr. and Mrs. Clifford Barfoot, Township of Albemarle, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is accepted all these lands will be removed from the Proposed Plan.

FILE NO. 800-44 SUBMISSION NO. 387

OWNER: A.H. Libby

LAND: Lot 9, Concession 14 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission is a request to remove some 86 acres of land from the Escarpment Natural and Escarpment Protection designations to permit its development as building lots and failing this the Province should purchase it.

EXHIBIT:

259. Air photo showing property of A.H. Libby, Lot 9, Concession 14 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

The County of Bruce made no recommendation for changes on the subject property and we are of the opinion that it is properly designated and should remain within the Proposed Plan. The matter of possible purchase by the Province is beyond our jurisdiction.

FILE NO. 800-2 SUBMISSION NO. 388

AGENT: Douglas J. Robertson, Executive Director

OWNER: Bruce Trail Association

LAND: 80 acres at Cape Chin, and
10 acres at Cyprus Lake

SUMMARY OF SUBMISSION:

The submission supports the Escarpment Natural designation on 1/3 to 1/2 of the Cape Chin property but is opposed to the large number of permitted uses for this classification and believes they should be reduced. It is submitted that the balance of its Cape Chin property designated Escarpment Protection should be changed to Escarpment Natural as there are no significant differences in the land.

The Cyprus Lake property is entirely in the Escarpment Natural designation and is also in an "acquisition area". While the Association concurs with the designation it would also request that the number of permitted uses be reduced for this property as well.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands are properly designated. The other matters are dealt with in recommendations, comments and reasons in the general section of this report.

FILE NO. 800-48 SUBMISSION NO. 389

COUNSEL: Samuel Lerner, Q.C.

OWNER: Mrs. Frances Lerner

LAND: Unit 32, Plan D 24
Township of Albemarle

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

FILE NO. 800-52 SUBMISSION NO. 390

COUNSEL: Samuel Lerner, Q.C.

OWNER: Dr. Charles H. Loucks

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

FILE NO. 800-53 SUBMISSION NO. 391

COUNSEL: Samuel Lerner, Q.C.

OWNER: A.A. Searle

SUMMARY OF SUBMISSION:

This land is designated Escarpment Recreation under the Proposed Plan. The request of this submission is that the existing residential development be more properly recognized by changing the designation. The submission was also concerned that some of the permitted uses of the Escarpment Recreation designation (such as marinas and retail stores) are not compatible with such a residential area.

RECOMMENDATION:

None.

REASONS:

We are of the opinion that this property is properly designated and the permitted uses as in all official plans need not necessarily be implemented.

FILE NO. 800-29 SUBMISSION NO. 392

OWNER: Mr. and Mrs. Gordon T. Hill

LAND: Part Lot 20, Concession 8 E.B.R.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

The subject property comprises approximately 24 acres and is designated Escarpment Natural in the Proposed Plan. The Hills purchased this property in 1965 with the promise by the vendor to give an easement for proper access. The surrounding property has been purchased by the Province and the Hills have no access to their property.

The request herein is that the Province purchase the subject property or provide an easement to afford the Hills access to their land. The subject property has frontage on Georgian Bay.

EXHIBIT:

260. Air photo showing property of Ruth and Gordon Hill, Lot 20, Concession 8 E.B.R., Township of St. Edmunds, County of Bruce.

RECOMMENDATION:

None.

REASONS:

We have no jurisdiction to deal with the matter of the requested easement.

FILE NO. 800-25 SUBMISSION NO. 393

AGENT: Al Clark, Information Officer

GROUP: Bruce Peninsula Protection Association

SUMMARY OF SUBMISSION:

This submission requests that all lands in Bruce County be "removed from the Proposed Plan and that local planning be restored".

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 800-17 SUBMISSION NO. 394

OWNER: Gordon and Rhonda Richardson

LAND: Lot 9, Concession 11
Township of Eastnor

SUMMARY OF SUBMISSION:

Totally opposed to the Proposed Plan and feels the controls should be removed from his lands because it may prevent him from woodcutting.

EXHIBIT:

261. Air photo showing property of Mr. and Mrs. Richardson, Lot 9, Concession 11, Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. 800-15 SUBMISSION NO. 395

OWNER: Mr. and Mrs. Ronald Ceaser

LAND: Lots 19 and 20, Concession 7
Lot 20, Concession 8
Township of Lindsay

SUMMARY OF SUBMISSION:

The witness is opposed to the placing of controls on this land and points out that the property has been in the family for over 100 years. It appears that a small part of the property may be in the Escarpment Recreation Area but otherwise the lands are proposed for Escarpment Natural, Escarpment Protection and Escarpment Rural. This property is located in the Otter Lake area. The owner does not understand why land which he alleges is 10,000 feet away from the brow of the Escarpment has been included in an area of control in the Proposed Plan. It is also the opinion of this witness that it has depreciated the value of the lands.

EXHIBIT:

262. Air photo showing property of Mr. and Mrs. Ronald Ceaser, Lot 20 and Part Lots 21 and 22, Concession 7 E.B.R., Lot 19, 20 and 21, Concession 8 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

In our opinion these lands have been properly designated and included in the Proposed Plan.

FILE NO. 800-11 SUBMISSION NO. 396

AGENT: Mrs. James Rodgers

OWNER: Frank and Ismay Richardson

LAND: Lot 9, Concession 9 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

Mrs. Rodgers who represented the Richardsons at the hearing read from a prepared statement which contained statements with respect to the loss of rights and other issues which have been raised many times. This property is located in the "agriculture island" and near the property which the Ministry of Natural Resources is offering for sale. The owners are seeking to have their land removed from the Proposed Plan.

EXHIBIT:

263. Air photo showing property of Mr. and Mrs. Richardson, Lot 9, Concession 9 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 800-19 SUBMISSION NO. 397

OWNER: James and Shirley Rodgers

LAND: Lot 30, Concession 1 and 2 E.B.R.
Township of St. Edmunds
Lot 18, Concession 6 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

Both Mr. and Mrs. Rodgers gave evidence at the hearing and requested that the land which they own be removed from the Proposed Plan. They also pointed out that they strongly objected to the provisions of Section 2.9. They also stated that they have strong objections to an interview given by an official of the Bruce Trail indicating there was little objection in the Bruce Peninsula to the Plan.

EXHIBIT:

264. Two Items:
   (a) Air photo showing property of Mr. and Mrs. James Rodgers, Lot 18, Concession 6 E.B.R., Township of Eastnor, County of Bruce.
   (b) Air photo showing property of Mr. and Mrs. James Rodgers, Lot 30, Concession 1 and 2 E.B.R., Township of St. Edmunds, County of Bruce.

RECOMMENDATION:

None.

REASONS:

In our opinion the property in Eastnor Township is properly designated and is properly included in the Proposed Plan. If our recommendation in Submission 373 (County of Bruce) is concurred with then the property in the Township of St. Edmunds will be designated Escarpment Rural and remain within the Plan.

FILE NO. 800-54 SUBMISSION NO. 398

OWNER: Mr. and Mrs. John H. Thompson

LAND: Lots 44 and 45, Concession 2
Township of St. Edmunds

SUMMARY OF SUBMISSION:

The Thompsons own approximately 200 acres of land and their lands are designated Escarpment Protection and Escarpment Rural in the Proposed Plan. Mr. Thompson is concerned about his ability to cut cedar logs on his property and would like at some future date to give a lot to his son. He pointed out that there are only about 65 workable acres of the total 200. He also expressed a desire to sell rocks off the property.

RECOMMENDATION:

None.

REASONS:

We are of the opinion these lands are properly designated and should remain in the Proposed Plan.

FILE NO. 800-50 SUBMISSION NO. 399

OWNER: **Malcolm M. Campbell**

SUMMARY OF SUBMISSION:

This submission is in support of the Proposed Plan and in opposition to the changes proposed by the County of Bruce. It contends the Proposed Plan is reduced to a bare minimum as it now stands.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. 800-23	SUBMISSION NO. 400

COUNSEL:	J.D. Murphy
OWNER:	Harold Murphy (Colpoys Cove Investments)
LAND:	Lots 26 and 27, Concession 15 E.B.R. Lot 23, Part Lots 24 and 25, Concession 15 E.B.R. Lots 27 and 28, Concession 14 E.B.R. Township of Albemarle

---

SUMMARY OF SUBMISSION:

The submission supported by planning evidence seeks certain modifications to the Proposed Plan as it affects the above lands, some 1,054 acres having 2.5 miles of waterfront on Colpoys Bay. Escarpment Natural designation applied to 730 acres or 69% of the property with Escarpment Protection on 324 acres or 31% of the site. There is no objection to the Escarpment Natural designation remaining on the portion of the property so designated but the Escarpment Recreation Area designation should be extended to part of the shoreline property to permit its development in accord with the existing cottage development along the bay. It is also requested that the Escarpment Protection designation be changed to Escarpment Rural. The concerned Township and County bodies have endorsed the development proposed for this property.

EXHIBITS:

265. Curriculum Vitae - Bernard P. Hermsen

266. Air photo of properties owned by Colpoys Cove Investments (Harold J. Murphy), Lot 26 and 27, Concession 15 E.B.R.; and Lot 23, Part Lot 24 and 25, Concession 15 E.B.R.; and Lots 27 and 28, Concession 14 E.B.R. in the Township of Albemarle, County of Bruce. Site analysis as submitted by

MacNaughton, Hermsen Planning Ltd.

267. A series of 12 photos illustrating site views of Colpoys Cove Investments' properties, the subject of this application and views of adjoining property.

268. Preliminary concept plan of development of properties owned by Colpoys Cove Investments, Township of Albemarle, County of Bruce. Air Photo, scale: 1:4000. MacNaughton, Hermsen Planning Ltd.

269. Resolution from the County of Bruce, Niagara Escarpment Committee, re Mr. Murphy, Lots 28 to 32, Concession 14 and 15, Township of Albemarle, dated August 4, 1981.

270. Resolution from the Township of Albemarle re Colpoys Cove property, Lots 25, 26, 27 and 28, Concession 15 E.B.R. Letter dated August 18, 1981.

RECOMMENDATION:

None.

REASONS:

If our recommendation on Submission 373 (County of Bruce) is concurred with then a large portion of this property will be changed to Escarpment Recreation. As far as the request to change from Escarpment Protection to Escarpment Rural is concerned, we are of the opinion that Escarpment Protection is the proper designation.

FILE NO. 800-56 **SUBMISSION NO. 401**

OWNER: Mrs. Robert Kropschot

LAND: Town Plot Bury E.B.R. 9 Pt.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

Mrs. Kropschot appeared and gave evidence on behalf of herself and her father, Leonard Mayhew, Submission 402. This land is located on the north shore of Dunk's Bay. She pointed out that her land has been designated as an Escarpment Natural Area and she would like this to be changed to Escarpment Recreation as a continuation of the cottage area which now exists. This apparently is not part of the Escarpment which is visable and is more or less an island.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the subject property in Submission 373 (County of Bruce) is accepted then the subject property will be designated Escarpment Recreation.

FILE NO. 800-57 SUBMISSION NO. 402

OWNER: **Leonard Mayhew**

LAND: Town Plot Bury E.B.R. 9 Pt.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

Mrs. Robert Kropschot (Submission 401) appeared and gave evidence on behalf of herself and her father, Mr. Mayhew. This land is located on the north shore of Dunk's Bay. She pointed out that the land has been designated in the Escarpment Natural Area and she would like this to be changed to Escarpment Recreation as a continuation of the cottage area which now exists. This apparently is not part of the Escarpment which is visible and is more or less an island.

RECOMMENDATION:

None.

REASONS:

If our recommendation concerning the subject property in Submission 373 (County of Bruce) is accepted then the subject property will be designated Escarpment Recreation.

FILE NO. 800-27 SUBMISSION NO. 403

OWNER:	Richard Fox
LAND:	Lots 18 and 19, Concession 8 E.B.R. Part Lot 18, Concession 9 E.B.R. Part Lot 18, Concession 10 E.B.R. Township of Lindsay

---

SUMMARY OF SUBMISSION:

The subject property comprises some 500 acres and is designated Escarpment Natural, Escarpment Protection and Escarpment Rural under the Proposed Plan.

This submission did not concern itself with the proposed designations but rather opposed the whole idea of a Plan such as is being proposed.

EXHIBIT:

271. Air photo showing property of Richard Fox, Lots 18 and 19, Concession 8 E.B.R.; Lot 18, Concession 9 E.B.R.; and Part Lot 18, Concession 10 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

This submission is much too negative to comment upon or to make any recommendation on it.

FILE NO. 800-30 SUBMISSION NO. 404

AGENT: Fred Davenport

GROUP: Niagara Escarpment Northern Ratepayers Association

SUMMARY OF SUBMISSION:

The submission put forward reiterates its position consistently taken at these hearings that the *Niagara Escarpment Planning and Development Act* and the Proposed Plan emanating from it constitute an attack on civil liberties including the rights of people to deal with their own lands in concert with local government. All planning should be returned to the local level of government and the Niagara Escarpment Commission should no longer function as the governing body.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. S 800-1 SUBMISSION NO. 678

OWNER: H. Vincent Elliott

SUMMARY OF SUBMISSION:

This submission is in support of the Niagara Escarpment Proposed Plan. The above named is a naturalist employed by Ontario Nature Tours. He is a guide to tourists and photography groups. Many interesting areas within the Plan were outlined by Mr. Elliott and their importance to the objectives of the Proposed Plan were stressed.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-6 SUBMISSION NO. 679

AGENT: Ron Reid, Secretary-Treasurer

GROUP: Coalition on the Niagara Escarpment

SUMMARY OF SUBMISSION:

This submission was presented by Ron Reid, Programme Manager for the Federation of Ontario Naturalists and also Secretary-Treasurer of the Coalition on the Niagara Escarpment in support of the Proposed Plan. The same brief was presented for the Federation of Ontario Naturalists by this individual in Submission 680. Its main purpose is to oppose the Bruce County recommendations for changes in the Niagara Escarpment Proposed Plan. The brief explains the interest of the two organizations in the natural areas of the Bruce Peninsula. It is felt that the cut back in the original planning area affected the Bruce Peninsula most radically making it less flexible for further reduction. It is contended that County requests for such in this regard do not represent the opinions of landowners where properties are involved nor have they all been consulted. The brief does not agree with the County that certain areas could be sufficiently protected by provisions in local official plans as for the most part local plans do not now do so.

RECOMMENDATION:

None.

REASONS:

These matters have been dealt with in Submission 373 (County of Bruce).

FILE NO. S 800-24 SUBMISSION NO. 680

AGENT: Ron Reid, Programme Manager

GROUP: Federation of Ontario Naturalists

SUMMARY OF SUBMISSION:

This submission was presented by Ron Reid, Programme Manager for the Federation of Ontario Naturalists and also Secretary-Treasurer of the Coalition on the Niagara Escarpment in support of the Proposed Plan. The same brief was presented for the Coalition on the Niagara Escarpment by this individual in Submission 679. Its main purpose is to oppose the Bruce County recommendations for changes in the Niagara Escarpment Proposed Plan. The brief explains the interest of the two organizations in the natural areas of the Bruce Peninsula. It is felt that the cut back in the original planning area affected the Bruce Peninsula most radically making it less flexible for further reduction. It is contended that County requests for such in this regard do not represent the opinions of landowners where properties are involved nor have they all been consulted. The brief does not agree with the County that certain areas could be sufficiently protected by provisions in local official plans as for the most part local plans do not now do so.

RECOMMENDATION:

None.

REASONS:

These matters have been dealt with in Submission 373 (County of Bruce).

FILE NO. S 800-18 SUBMISSION NO. 681

OWNER: Harold M. Forbes

LAND: Lot 23, Concession 4 and 5
Township of Eastnor

SUMMARY OF SUBMISSION:

The subject property some 85 acres is designated as Escarpment Rural in the Proposed Plan. There are gravel deposits on the east side of the property and a pit now in operation at another location on the subject property. It is feared that once the Proposed Plan is approved his chance of getting a licence to operate another gravel pit would be jeopardized. He does not want a wayside operation but a regular pit. The owner requests that his lands be deleted from the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, on Submission 373 (County of Bruce) is concurred with then the westerly portion of this property will be removed from the Proposed Plan.

FILE NO. S 800-22 SUBMISSION NO. 682

OWNER: Mrs. W.I. Watson

LAND: Lots 44 and 45, Concession 1 E.B.R.
Township of St. Edmunds

SUMMARY OF SUBMISSION:

This owner has 200 acres within the Proposed Plan designated as Escarpment Rural. It was once a farm but is now pretty well vacant. Objection is taken to the Niagara Escarpment Commission's controls and the feeling is expressed that she could deal with local and County planning regulations much easier. It is requested that this property be removed from the Plan.

EXHIBIT:

525. Air photo showing property of Mrs. W.I. Watson, Lots 44 and 45, Concession 1 E.B.R., Township of St. Edmunds, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is concurred with then the subject property will be removed from the Proposed Plan.

FILE NO. S 800-49 SUBMISSION NO. 683

AGENT: Martin Parker, Director

GROUP: Saugeen Field Naturalists

SUMMARY OF SUBMISSION:

This submission is in general support of the Niagara Escarpment Proposed Plan and was presented by Martin Parker, Director of the organization. The organization requests that there be no deletions from the Proposed Plan and that the implementation be not fragmented among the municipalities. It is opposed to development being permitted where acquisition has not occured on lands so designated.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-55 **SUBMISSION NO. 685**

OWNER: Garfield Shouldice

LAND: Lot 9, Concession 14
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission concerns about 90 acres of land designated as Escarpment Natural and Escarpment Protection. He wants his land to be acquired and would like to have a date settled for acquisition.

RECOMMENDATION:

None.

REASONS:

This is the same property as dealt with in Submission 387 (A.H. Libby).

FILE NO. S 800-58 SUBMISSION NO. 686

OWNER: Joseph W. Johnson

SUMMARY OF SUBMISSION:

This submission is in support of the Niagara Escarpment Proposed Plan. He requests that the Escarpment Natural and Escarpment Protection Areas of the Plan not be cut back.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-59 SUBMISSION NO. 687

OWNER: Rodger and Mary Schwass

LAND: Part Lots 29, 30 and 31, Concession 7 E.B.R.
Township of Lindsay

SUMMARY OF SUBMISSION:

The subject property is designated Escarpment Natural and Escarpment Protection in the Niagara Escarpment Proposed Plan. It is requested that this property be removed from the Proposed Plan as the owners use it as a wildlife sanctuary which would be threatened if intensive encroachment is made upon it by tourists and others. The owners would prefer talking to local government regarding their lands rather than the Niagara Escarpment Commission.

EXHIBIT:

526. Air photo showing property of Rodger and Mary Schwass, Part Lots 29, 30 and 31, Concession 7 E.B.R., Township of Lindsay, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation in Submission 373 (County of Bruce) is concurred with then the portion of this property fronting on Britain Lake will be changed to Escarpment Recreation. We are of the opinion this property should remain within the Proposed Plan.

FILE NO. S 800-12

SUBMISSION NO. 688
(Written Only)

OWNER: Bryce Kindrick

SUMMARY OF SUBMISSION:

The submission is generally in support of the Proposed Plan but expresses concern regarding the large number of development permits granted.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.

FILE NO. S 800-14

SUBMISSION NO. 689
(Written Only)

OWNER: Clayton McKague

SUMMARY OF SUBMISSION:

This submission is totally opposed to the Niagara Escarpment Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general opposition to the Proposed Plan and requires no further comment.

FILE NO. S 800-32

SUBMISSION NO. 690
(Written Only)

OWNER: Jerry Rutherford

LAND: Part Lot 15, Concession 7 E.B.R.
Township of Eastnor

SUMMARY OF SUBMISSION:

This submission covers land that is used for the purpose of raising beef cattle and requests that the subject property be removed from the Proposed Plan.

EXHIBIT:

527. Air photo showing property of Jerry Rutherford, Part Lot 15, Concession 7 E.B.R., Township of Eastnor, County of Bruce.

RECOMMENDATION:

None.

REASONS:

If our recommendation, concerning the subject lands, in Submission 373 (County of Bruce) is accepted a portion of this property will be changed to Escarpment Rural. We are of the opinion the property should remain within the Proposed Plan.

FILE NO. S 800-60

SUBMISSION NO. 691
(Written Only)

OWNER: Bernd Baldus

LAND: Part Lot 15, Concession 18 E.B.R.
Township of Albemarle

SUMMARY OF SUBMISSION:

This submission is in general agreement with the Proposed Plan.

RECOMMENDATION:

None.

REASONS:

This submission indicates general support for the Proposed Plan and requires no further comment.